

WATER PERMIT NO. 1759-1

Name of Applicant: Piedmont Fire Protection District

Address: PO Box 61, Piedmont SD Phone: 605 787-5830

Amount of Water Claimed: 0.089 (40 gpm) Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: fire protection County: Meade

Type of Waste Disposal System:

Location: in Piedmont

PRIORITY Date Received: 11-19-2001

Fee: \$50

Corrected Application Received:: 11-28-2001

Period of Annual Use: January – December 31

Remarks:

Diversion Point: center of SW ¼ Sec 10-T3N-R6E

Land to be Irrigated: NA

Depth of Well: approximately 400 ft deep

Well Driller: :

Remarks:

Type of Map: plat

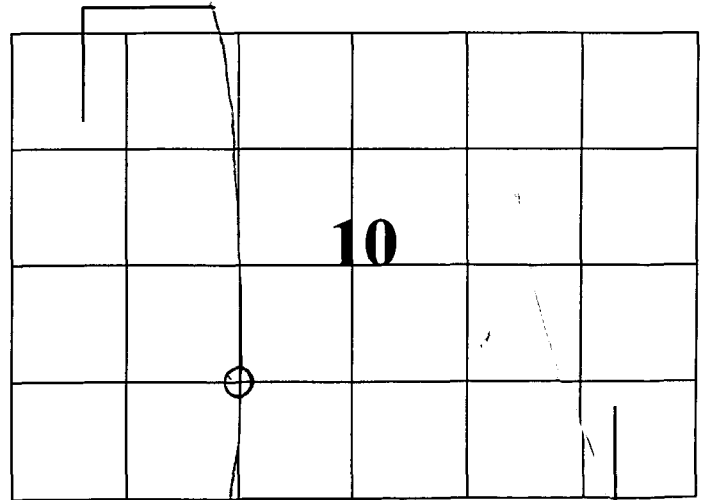
Prepared by: Marjorie Duprel, Farm Service

Agency

Reviewed and the Number Assigned on: 11-28-01

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 1759-1**

Date of first receipt of application November 19, 2001.

Date of return to applicant for corrections, amendments or changes November 19, 2001.

Date of receipt of corrected application November 28, 2001.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1759-1 to Piedmont Fire Protection District, PO Box 61, Piedmont SD 57769 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. 1759-1 appropriates 0.089 cubic feet of water per second (40 gallons per minute) from one well (Minnelusa Formation) located near the center of the SW 1/4 Section 10-T3N-R6E
2. The water appropriated shall be used for the purpose of supplying water for fire protection use and potentially used in the fire hall 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. 1759-1 is February 11, 2002.
5. The date from which applicant may claim right is November 19, 2001.
6. One-fifth of the construction is to be completed on or before August 11, 2004.
7. All construction is to be completed on or before February 11, 2007.
8. Water is to be put to beneficial use on or before February 11, 2011.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 1759-1 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 well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

WATER MANAGEMENT BOARD

By: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAR 01 2002

date



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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1759-1</u>	(office use only) Hydrologic Unit <u>10120111</u>
	Basin <u>Upper Cheyenne</u>	
	Newspaper <u>Meade Co. Times, Sturgis</u>	



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

Check use(s) of water:

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

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

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

NW 1/4 OF NW 1/4 OF SE 1/4 OF SE 1/4 OF SW 1/4 SECTION 10
T3N R6E

- Name of Applicant Piedmont Fire Protection District Phone 605-787-5830
(check one) Owner Tenant/lessee
Mailing Address P.O. Box 61 Piedmont State S.D. 57769
(Street, RR. or Box) (Zip Code)
- Amount of water claimed 0.089 *CFS or 40 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Mimnelusa formation
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Approximate center SW 1/4
NW 1/4 OF NW 1/4 OF SE 1/4 OF SE 1/4 OF SW 1/4
Section 10 T3N R6E County Meade
- County or counties where water will be used Meade
- Annual period during which water is to be used 12 mos Jan. 1 - Dec. 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA)

County of Meade SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Ray Walsh, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed Carol Weeks Thorstein

Subscribed and sworn to before me this 15th day of November 2001

Carol Weeks Thorstein

Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 7/8" Depth Approx. 400'
- b) Casing Type PVC Diameter 5" Thickness .250
- c) Screen Type NA. Diameter _____ Thickness _____
- d) Gravel Pack NA Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 350'
- f) Depth to Water (ground surface to water level) 100' or less
- g) Distance to nearest existing domestic well:
- On applicants property NONE On property owned by others 250' - 300'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) 4000 gal Holding Tank
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

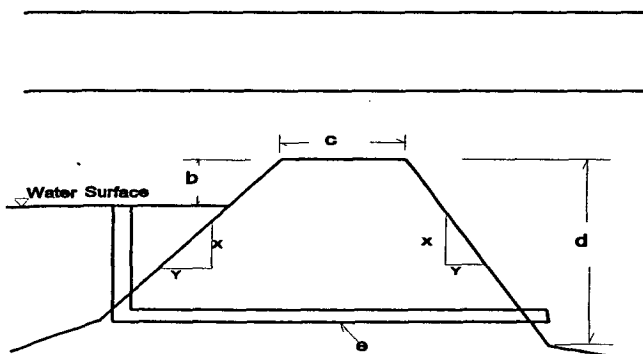
3. Dugout Information

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

4. Water Storage Dams

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

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



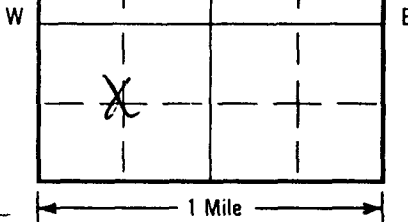
- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 10 Twp 3-N Rg 6-E
County Meade North

Please mark well location with an "X"



Well Completion Date

1-21-02

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 400 ft. from Septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary Air Water

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
200 LB/10	5 IN	0 FT	360 FT	778 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
Portland	50	946 lb./gal	0 ft.	360 ft.
Bentonite	10	318 lb./gal	130 ft.	170 ft.

Describe grouting procedure 30 bags THREE CASING
10 bags Bent + 20 bags THREE TremieSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ 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? Pellets

Laboratory sent to for water quality analysis

owner TO complete

 Well Owner: _____
 Business Name: Piedmont Fire Dept.
 Address: P.O. Box 90
 Piedmont S.D. 57769

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Red SHALE	0'	15'
GRAVEL	15'	25'
Red SHALE	25'	140'
(MINNEKANTA) Limestone	140'	180'
(D. PROBE) Red SHALE	180'	310'
Yellow SANDSTONE	310'	325'
Red SHALE	325'	330'
Red SAND & S. Stone	330'	360'
Yellow & WHITE SAND (MINNEKANTA)	360'	420'

STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure _____ PSI

GPM flow 9 through one inch pipe

Controlled by ☒ Valve ☐ Reducers ☐ Other

Reduced Flowrate 9 GPM

Can well be completely shut in? yes

WELL TEST DATA:

☐ Pumped Describe: Air - developed☐ Bailed☒ Other

Pumping Level Below Land Surface

420 ft. After 2 Hrs. 80 GPM

200 ft. After 1 Hr. 45 GPM

If pump installed, pump rate 40 GPM

REMARKS

Bentonite used to fill void in MINNEKANTA

RECEIVED

FEB 15 2002

This well was drilled under license # 568 WATER RIGHTS PROGRAM

And this report is true and accurate.

Drilling firm CIMARRON Drilling Inc.

Signature of License Representative: Michael J. Deutch

Signature of Well Owner or Equitable Property Holder:

Date:

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416978

Pierre, November 19, 20 01

RECEIVED OF Piedmont Fire Protection Dist., POBox 61, Piedmont, SD 57769

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 _____	50	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. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	100 00

By

Darland Erbe
Chief Engineer

gm

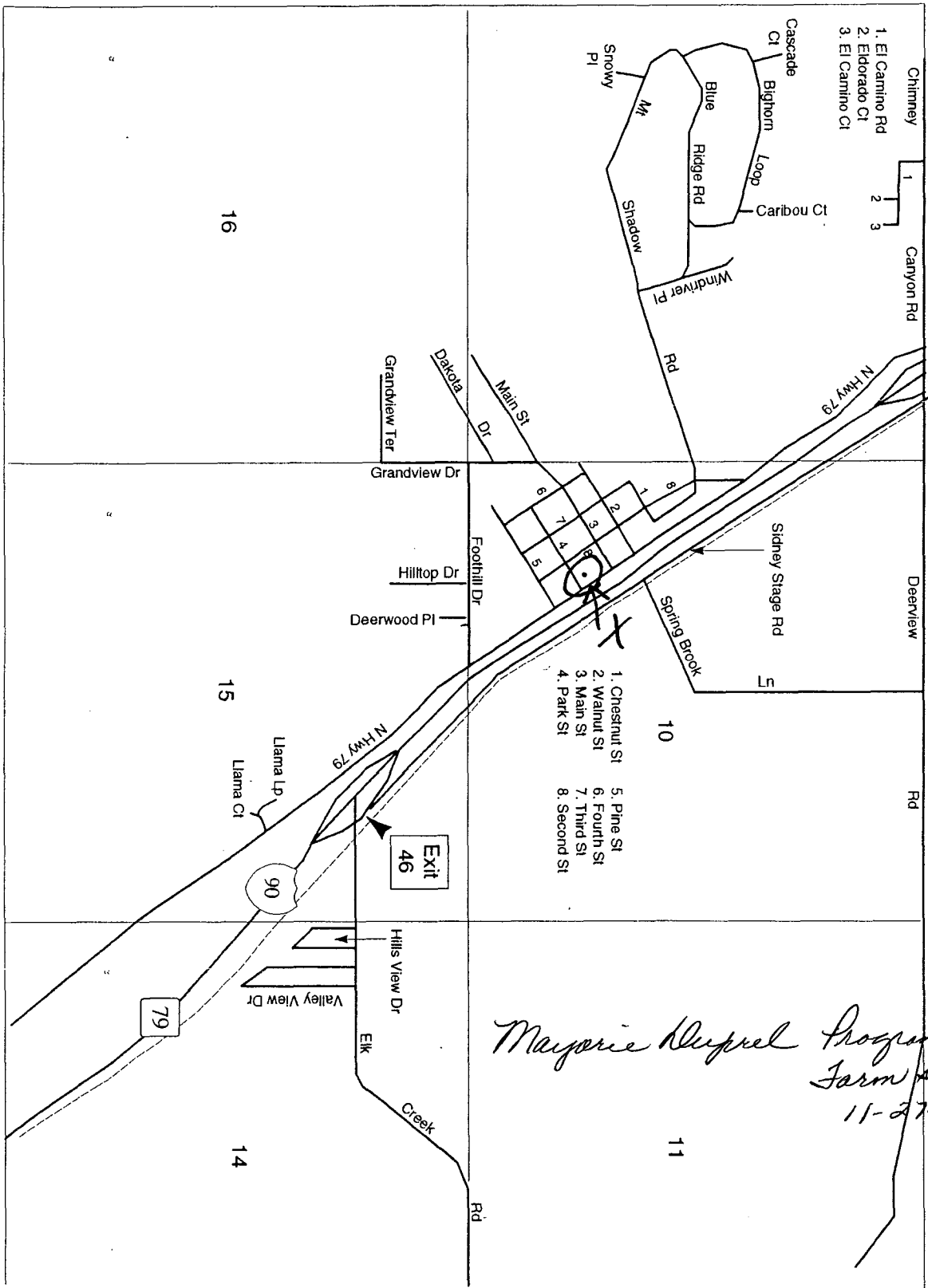
Piedmont

C

Exit 44

N

D



17000 RC

218

15400 RC

219

13800 RC

8000 RC

1759-1

71 T3N

11600 RC

132

10400 RC

R6E

133

9200 RC

134



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 19, 2001

Piedmont Fire Protection District
Ray Walz
PO Box 61
Piedmont SD 57769

Dear Mr. Walz

Thank you for submitting the *Application for a Permit to Appropriate Water* for the Piedmont Fire Protection District. In order to complete the application the following is required.

Enclosed is the map submitted with the application. Please mark the location of the well with an "X".

Also, the map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties. Someone from the Meade County Natural Resource Conservation Service would be qualified to sign this map for you.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2002

Michael Deutsch
Cimarron Drilling
9017 S. Ridge Trail
Sturgis, SD 57785

Dear Mr. Deutsch:

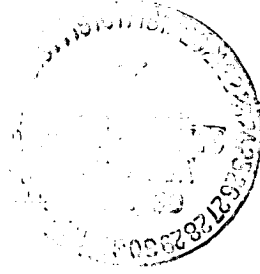
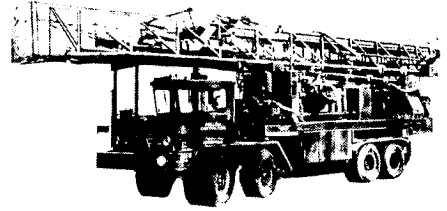
As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well for Piedmont Volunteer Fire Dept. prior to approval of a water permit. The test well is to be completed into the Minnelusa aquifer in the SW ¼ Section 10, T3N-R6E. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Very truly yours,

JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for GARLAND ERBELE, Chief Engineer
Water Rights Program
(605) 773-3352

CIMARRON DRILLING

WATER WELLS - TEST HOLES - CATHODIC - PUMPS
PUMP SERVICE - SHALLOW PRODUCTION
9017 S. RIDGE TRAIL
STURGIS, SD 57785
605-347-3071



Gentlemen:

I AM Requesting permission to
drill a Test well for Piedmont
Volunteer Fire Dept. until Permit
is processed.

It will be into the Minnekahta
aquifer approximately 400' to 450' deep.
It is Right in Piedmont town.

It will be Commercially
used for Fire Protection.

Respectfully
Submitted
Michael J Deutch

WATER PERMIT APPLICATION NO. 1759-1
PIEDMONT FIRE PROTECTION DISTRICT
JANUARY 2, 2002

Water Permit Application No. 1759-1 proposes to appropriate 0.089 cubic feet of water per second (40 gallons per minute) from one well approximately 400 feet deep (Minnelusa Formation) located near the center of the SW¼ Sec.10, T3N-R6E. The water is for fire protection use.

AQUIFER: Minnelusa Aquifer (MNLS)

GENERAL:

The Minnelusa aquifer consists of the permeable units, primarily sandstone and fractured carbonates, of the Pennsylvanian and Permian age Minnelusa Formation. The top of the Minnelusa Formation is expected to be approximately 300 feet below grade at this well site (Carter and Redden, 1999). The entire Minnelusa Formation is around 450 feet thick in this area (Water Rights, 2002b). Although well sorted sand lenses have porosity's approaching 25%, the average porosity of the Minnelusa is estimated to be 10% and the effective porosity is assumed to be 5% (Rahn, 1979). The Minnelusa Formation underlies approximately 2,172,800 acres of Meade County and contains an estimated 81,480,000 acre-feet of recoverable water in storage (Allen and others, 1984). The aquifer is areally extensive around the Black Hills and is hydraulically connected into the counties surrounding Meade County. Ground water movement is probably toward the north and east. There is no aquifer-test data available for the Minnelusa aquifer at this site; therefore, the aquifer transmissivity and storage coefficient values are unknown. Estimates from regional studies of the aquifer indicate the aquifer transmissivity may range from 30 to 1000 ft²/d, and the storage coefficient ranges from 6.6×10^{-5} to 2×10^{-4} (Kyllonen and Peter, 1987). The Minnelusa aquifer is overlain and confined by the Opeche Shale. The potentiometric surface of the Minnelusa is expected to be 20 feet above ground surface at this site (Stobel and others, 2000), therefore a well in this area is expected to flow. The Minnelusa Formation unconformably overlies the Madison Limestone and the two aquifers (Minnelusa and Madison) are probably hydraulically distinct.

WATER AVAILABILITY:

Recharge to the Minnelusa aquifer occurs primarily through precipitation falling directly on the outcrop and from streamflow losses. Average annual recharge to the Minnelusa from 1931-98 was estimated to be 112,075 ac-ft/yr (Carter and others, 2001a). The total well withdrawals from the aquifer are estimated to be about 8,100 ac-ft/yr (Carter and others, 2001b).

The Water Rights Program monitors 23 observation wells completed into the Minnelusa aquifer in the Black Hills area. Water Rights Observation Well MD-84A is located about one-half mile south east of this well site. The hydrograph for the well (see figure 1), is fairly typical for the Minnelusa aquifer. That is, the water levels reach their peak in the early summer each year and gradually decline until spring. The majority of the recharge to the system occurs between March and July.

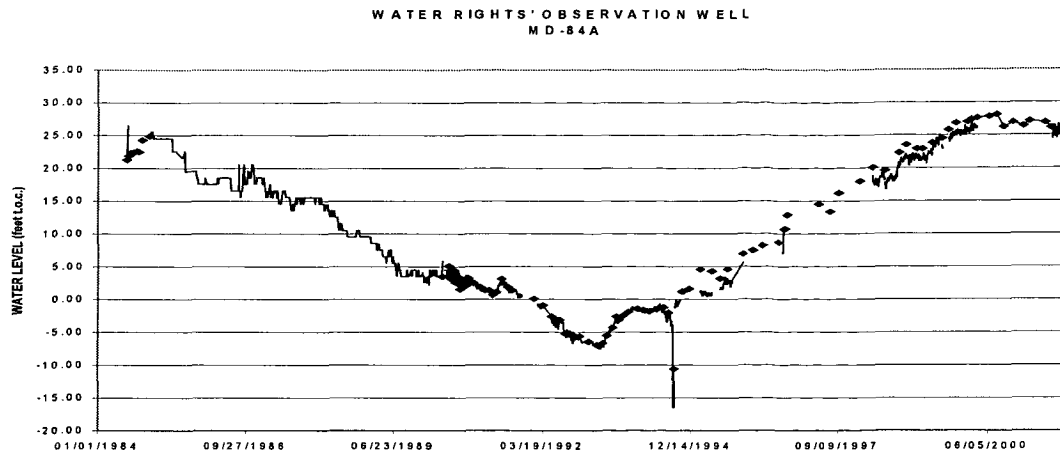


Figure 1. Minnelusa aquifer Observation Well, (one-half mile southeast of 1759-1)

The hydrograph shows the magnitude of fluctuation in the water levels in the area, more than 35 feet, with the lowest water level on record occurring in May 1993 and the highest occurring in July 2000. The effects of well interference can be seen in 1994 when approximately 14 feet of drawdown was measured in this well as the Minnelusa was essentially “being pumped” at a rate of approximately 500 gpm, while drilling a Madison aquifer observation well approximately 20’ away.

It is obvious from the hydrograph that withdrawals have not exceeded recharge for the period of record. The observation well data suggests that at the existing level of development, the aquifer is capable of sustaining additional withdrawals.

AFFECTS ON EXISTING RIGHTS:

There are 172 Water Rights/Permits that appropriate water from the Minnelusa aquifer in South Dakota (Water Rights, 2002c). There are 58 permits/rights appropriating water from the Minnelusa aquifer in Meade County (Water Rights, 2002c), where the aquifer is used primarily for suburban housing development, commercial, municipal and irrigation use. There are a number of domestic wells completed into the Minnelusa aquifer on file with the Water Rights Program (Water Rights, 2002a).

There are 12 Water Rights/Permits appropriating groundwater from the Minnelusa Aquifer within one-half mile of this well site. They include:

Permit No	Name	Use	cfs
842-1	Robert Phelps	Irr	1.00
843-1	Lavern Wilburn	Irr	0.77
989-1	Elk Creek Water Co.	SHD	0.22
1155-1	Donald/Betty Wittinger	Com	0.03
1507-1	Piedmont Baptist Church	Ins	0.02
1512-1	Elk Creek Steakhouse	Com	0.01
1614-1	Dean Nickel	Com	0.08
1640-1	John Boylan	Com	0.04
1647-1	Dakotah Spirit Resort	Com	0.10
1682-1	Stanley Scheuer	SHD	0.13
1694-1	Dan Kessler	Com	0.07
1902-2	Carol's Slash J Bar	Com	0.01

Any well interference this proposed use would have on these or other water rights/permits is not expected to be adverse due to the distance between wells, and the relatively low diversion rate requested by this application.

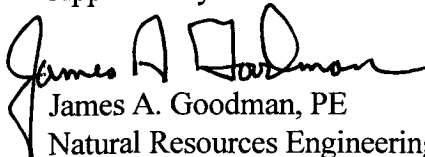
CONCLUSIONS:

1. The Minnelusa Aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. The Minnelusa is under artesian conditions and drawdown due to this diversion can be expected. This drawdown is not expected to adversely affect adequate wells in the area.



Ken Buhler
Natural Resources Engineering Specialist

Approved by



James A. Goodman, PE
Natural Resources Engineering Director

REFERENCES:

- Allen, J.C., Iles, D.L., and Petres, A.K., 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Task 3 & 4: Groundwater Resources Inventory, US Army Corps of Engineers Contract DAWC 45-82-C-015, SD DENR-Division of Geological Survey, Vermillion SD
- Carter, J.M., and Redden, J.A., 1999, Altitude of the Top of the Minnelusa Formation in the Black Hills Area, South Dakota, U.S. Geological Survey Hydrologic Investigations Atlas HA-744-C,
- Carter, J.M., Driscoll, D.G., and Hamade, G.R., 2001a, Estimated Recharge to the Madison and Minnelusa Aquifers in the Black Hills Area, South Dakota, and Wyoming, Water Years 1931-98, U.S. Geological Survey Water Resources Investigations Report 00-4278,
- Carter, J.M., Driscoll, D.G., Hamade, G.R., and Jarrell, G.J., 2001b, Hydrologic Budgets for the Madison and Minnelusa Aquifers, Black Hills of South Dakota and Wyoming, Water Years 1987-96, U.S. Geological Survey Water Resources Investigations Report 01-4119,
- Kyllonen, D.P., Peter, K.D., 1987, GeoHydrology and Water Quality of the Inyan Kara, Minnelusa, and Madison Aquifers of the Northern Black Hills, South Dakota and Wyoming, and Bear Lodge Mountains, Wyoming, U.S. Geological Survey, Water Resources Investigations Report 86-4158, Rapid City, SD
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, US Army Corps of Engineers, Draft Report-Final
- Strobel, M.L., Galloway, J.M., Hamade, G.R., and Jarrell, G.J., 2000, Potentiometric Surface of the Minnelusa Aquifer in the Black Hills Area, South Dakota, U.S. Geological Survey Hydrologic Investigations Atlas HA-745-C
- Water Rights Program, 2002a, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program, 2002b, "Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program, 2002c, "Water Permit/Right Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1759-1, Piedmont Fire Protection District**

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. 1759-1, Piedmont Fire Protection District, c/o Ray Walz, PO Box 61, Piedmont SD 57769.

The Chief Engineer is recommending APPROVAL of Application No. 1759-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 1759-1 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 well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

See report on application for additional information.

Garland Erbele, Chief Engineer
January 14, 2002



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2002

Meade Co. Times-Tribune
Box 69
Sturgis, SD 57785-0069

ATTENTION: Legal Public Notice

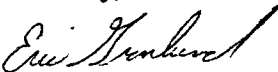
Enclosed is a Notice of Hearing on Application No. 1759-1 to Appropriate Water to be published twice. Please publish the first notice on January 23, 2002 with the second publication 7 days later.

The applicant must verify to you that the notice is to be published, before you make the first publication **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Piedmont Fire Protection District, PO Box 61, Piedmont, SD 57769 (Ph # 605-787-5830).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 1759-1

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

Date _____

We are in receipt of your letter of January 14, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 1759-1 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

January 14, 2002

Piedmont Fire Protection District
% Ray Walz
PO Box 61
Piedmont, SD 57769

Dear Mr. Walz:

Water Permit Application No. 1759-1 for fire protection use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Meade Co. Times-Tribune printed at Sturgis, SD (Ph # 605-347-2503). 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 a 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 of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on January 23, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1759-1 to Appropriate Water

Notice is given that Piedmont Fire Protection District, PO Box 61, Piedmont SD 57769 has filed an application for a water permit to appropriate 0.089 cubic feet of water per second (40 gallons per minute) from one well (Minnelusa Formation) located near the center of the SW ¼ Section 10-T3N-R6E. The water is for fire protection use and potentially used in the fire hall.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1759-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 11, 2002.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

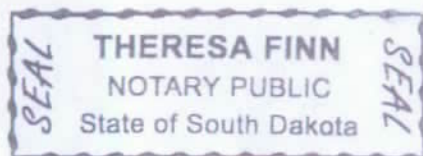
AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF MEADE

Sharon Allison, being duly sworn, says: That the Meade County Times is and, during all the times hereinafter mentioned, was a legal paper as d sddcl 17-2-2, as amended, published in Sturgis, Meade County, South L by 'Country Media, Inc.; that affiant is and, during all of said times, was el as an accountant by the publisher of such newspaper and has personal knowledge of the facts stated in the affidavit; that the notice, order or advertisement, a printed copy of which is attached, was published in said newspaper for the issue(s) bearing the following dates:

<u>Jan 23</u> 200 <u>2</u>	<u>200</u>
<u>Jan 30</u> 200 <u>2</u>	<u>200</u>
<u>200</u>	<u>200</u>

that the full amount of the fee charged for publishing the same, to-wit,
\$ 36.18 , insures solely to the benefit of the public newspaper; that no agreement or understanding for the division of the
been made with any person, and that no part of the fee has been agr
to any other person.



Sharon Allison
A/R Clerk

Subscribed and sworn before me this

8th day of February, 2002

Theresa Finn
Notary Public, South Dakota

My Commission Expires Nov. 19, 2007

RECEIVED
FEB 11 2002
WATER RIGHTS
PROGRAM

Water application

NOTICE OF APPLICATION

NO. 1759-1 to Appropriate Water

Notice is given that Piedmont Fire Protection District, PO Box 61, Piedmont SD 57769 has filed an application for a water permit to appropriate 0.089 cubic feet of water per second (40 gallons per minute) from one well (Minnelusa Formation) located near the center of the SW 1/4 Section 10-T3N- R6E. The water is for fire protection use and potentially used in the fire hall.

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Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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Publ Jan. 23 and 30, 2002
Meade County Times-Tribune



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 01 2002

Piedmont Fire Protection District
PO Box 61
Piedmont, SD 57769

Dear Sir:

Enclosed is Water Permit No. 1759-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

for Piedmont Fire Protection

1759-1

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Date

June 06-02

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Cimarron Drilling Inc.
(name)9017 S. Ridge Trail
(address)Sturgis S.D. 57785
(city, state, zip)605-347-3071
(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 1759-1 states that the water use system is to be constructed by

Cimarron Drilling
(date)

and water is to be put to beneficial use by

June 24-02
(date)

The water use system was completed on

June 1-2002
(date)

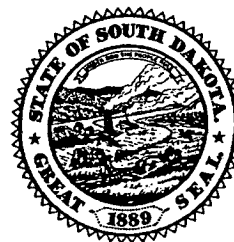
Applying the water to beneficial use was completed on

June 05-2002
(date)

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

Michael J. Deuter
(signature)

PRES.

Cimarron
Drilling Inc.

7-98

RECEIVED

JUN 13 2002

WATER RIGHTS
PROGRAM

Permit No. 1759-1
Upper Cheyenne River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **05 October 2007**, made a thorough examination of the water use system constructed by **Piedmont Fire Protection District** of **PO Box 61, Piedmont, SD. 57769** holder of Permit No. **1759-1**, bearing the priority of **19 November 2001** authorizing the diversion of **0.089** cu. ft. per second of the waters of **the Minnelusa formation** for **fire protection** purposes, in **Meade** County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Cimarron Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **420** feet
- 4) Well log is available **Y**
- 5) Comment:

Casing:

- 1) Diameter **5** inches
- 2) Length **360** feet
- 3) Type **Plastic**

Screen:

- 1) Type **None**
- 2) Static water level **0** feet

Pump:

- 1) Make **Grundfos**
- 2) Capacity **40** GPM

Motor:

- 1) Horsepower rating **7.5** hp

Dam Information:

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

- 1) Type **PVC**
- 3) Length **200** feet

C. Works used to apply water to beneficial use:

125 psi pressure tank

D. Compliance with Permit Requirements:

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

The system is in good condition with the point(s) of diversion located as follows: NE ¼ SW ¼ Section 10-T3N-R6E, approximately 1401 feet east and 1408 feet north of the southwest corner of section 10, N 44.23135 Latitude and W -103.38741 Longitude. The works are capable of diverting and conveying to the place of use 0.089 cu. ft. per second of water which is to be used for fire protection purposes.

The license should be issued for 0.089 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project: **Change of diversion point location filed with this report.**



Mark Costello
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 16 October 2007

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

NAME: Piedmont Fire Protection District

ADDRESS: PO Box 61, Piedmont, SD. 57769

DATE: 16 October 2007

COUNTY: Meade

TELEPHONE: 605-787-5121

AUTHORITY:

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

- **Developed water source same as permitted source and no additional water appropriated**

The diversion point for Permit No. 1759-1 was described as being located at the center of SW ¼ Sec 10-T3N-R6E, a physical inspection revealed the actual location of the diversion point to be located at the NE ¼ SW ¼ Sec 10-T3N-R6E. There is no change in the rate of diversion authorized by Permit No. 1759-1 or in the source of water for this diversion.

- **If irrigation, no new land is irrigated**

The well described in Permit No. 1759-1 is used for fire protection purposes and is located on land owned by the applicant.

- **Review of Existing Diversions**

The actual well location is approximately 87 feet east and 102 feet north of the permitted location. The nearest well to the actual point of diversion is approximately 1626 feet to the northwest; interference is not expected to be a problem.

RECOMMENDED ACTION

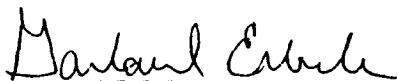
Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Mark Costello, Natural Resources Engineer
Water Rights Program

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

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

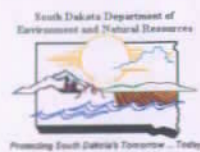


Garland Erbele, Chief Engineer
Water Rights Program



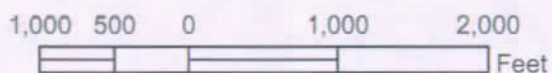
1759-1

Piedmont Fire Protection District
PO Box 61
Piedmont, SD. 57769



Mark Costello

Mark Costello
Natural Resources Engineer
SD DENR, Water Rights
16 October 2007



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1759-1

(1) Piedmont Fire Protection District, PO Box 61, Piedmont SD 57769 made Application No. 1759-1, November 19, 2001 for a water permit to divert 0.089 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for fire protection purposes. Permit No. 1759-1, with a priority date of November 19, 2001 was approved February 11, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 11, 2007 and for the application to beneficial use of water on or before February 11, 2011.

An investigation conducted for licensing purposes found the well under Water Permit No. 1759-1 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 1759-1 is issued a license, bearing a priority date of November 19, 2001 to appropriate 0.089 cubic feet of water per second from groundwater (one well) for fire protection purposes.

The diversion point is located: 1,401 feet east and 1,408 feet north of the southwest corner of Section 10-T3N-R6E (NE ¼ SW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1759-1 including the following now applicable qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 1759-1 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 approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 19 2007

date





OCT 19 2007

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

1759-1

Piedmont Fire Protection District
PO Box 61
Piedmont SD 57769

Dear Sir:

Enclosed is Water License No. 1759-1. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1759-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures