

WATER PERMIT NO. 1890-1

Name of Applicant: **Robert Goosen**

Address: **Box 481, Piedmont SD 57769**

Phone:

Amount of Water Claimed: **0.044 cfs**

Total Acres: **NA**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **commercial use**

County: **Meade**

Type of Waste Disposal System:

Location: **near Piedmont**

PRIORITY

Date Received: **9-20-07**

Application/License Fee: **\$100**

Corrected Application Received: **9-27-07**

Period of Annual Use: **January 1 – December 31**

Remarks: **for use in a custom meat processing plant**

Diversion Point: **S ½ SW ¼ Sec 10-T3N-R6E**

Land to be Irrigated: **NA**

Depth of Well: **480 feet deep**

Well Driller:

Remarks:

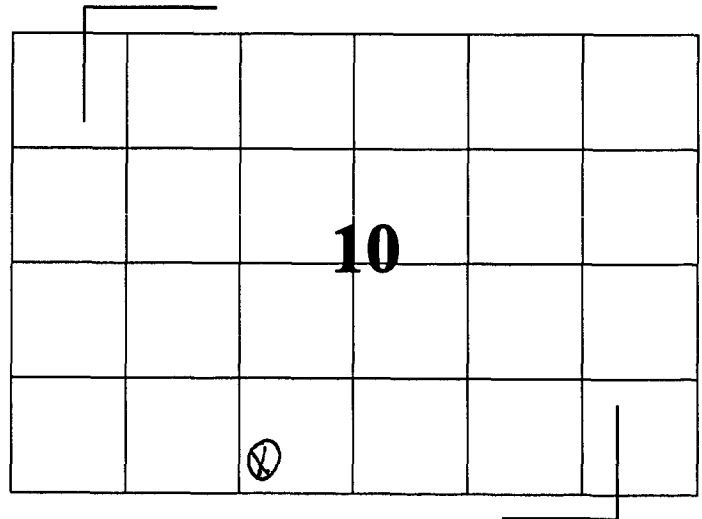
Type of Map: **aerial**

Prepared by: **Eric Gronlund**

Reviewed and the Number Assigned on: **9-27-07**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1890-1</u> (office use only) Hydrologic Unit <u>10120111</u>
	Basin <u>Upper Cheyenne</u>
	Newspaper <u>Meade Co Times & Tribune PO Box 69</u>
	<u>605-347-2503 (Wed) Sturgis 57785</u>

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WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

Type of Application:
(check one)

☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation

☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____

☐ Amendment/Correction to Permit No. _____

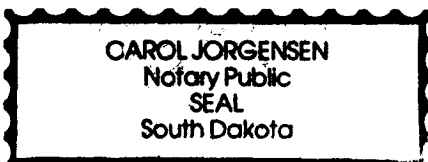
Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

- Name of Applicant ROBERT GOOSEN Phone _____
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address Box 481 Piedmont State SD 57769
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.044 *CFS or 20 **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 Ground water
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Meade
SW 1/4 SW 1/4 Section 10, T3N, R6E
S 1/2
- County or counties where water will be used Meade
- Annual period during which water is to be used January 1 - December 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)
Constructing a custom meat processing plant

STATE OF SOUTH DAKOTA)

County of HUGHES 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, Robert Goosen, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.Applicant's signature [Signature]Subscribed and sworn to before me this 20 day of SEPTEMBER 20 07

2-2007

[Signature]
Notary Public signature
my Commission Expires: Oct. 15, 2010

**SOUTH DAKOTA
WATER PERMIT NO. 1890-1**

Date of first receipt of application September 20, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1890-1 to Robert Goosen, Box 481, 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. 1890-1 appropriates 0.044 cubic feet of water per second from one well to be completed into the Minnelusa Aquifer (approximately 480 feet deep) located in S 1/2 SW 1/4 Section 10-T3N-R6E.
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: January 1 – December 31.
4. The date of approval of Permit No. 1890-1 is November 26, 2007.
5. The date from which applicant may claim right is September 20, 2007.
6. One-fifth of the construction is to be completed on or before May 26, 2010.
7. All construction is to be completed on or before November 26, 2012.
8. Water is to be put to beneficial use on or before November 26, 2016.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

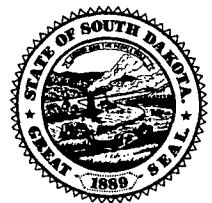
WATER MANAGEMENT BOARD

By: Garland Erbele

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

JAN 24 2008

date



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WATER RIGHTS
PROGRAM*Conservation applicants*Form DA Supplemental Information
(Complete applicable portions only)

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 7/8 Depth 480
- b) Casing Type steel Diameter 5.5 Thickness .275
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 300 (MINELUSA)
- f) Depth to Water (ground surface to water level) 0
- g) Distance to nearest existing domestic well:
On applicants property NONE On property owned by others 500'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Septic system - system designed and approved by DENR
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

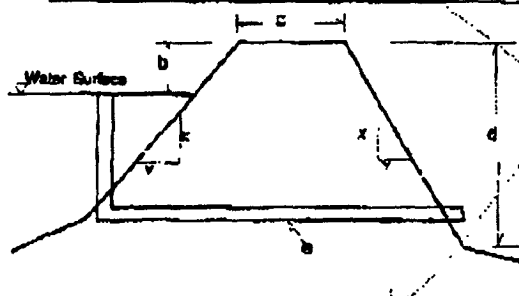
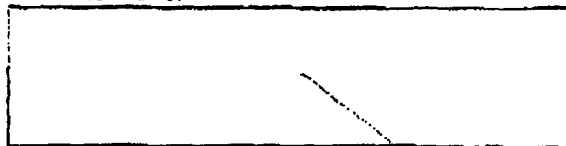
3. Dugout Information

- 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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/20, 20 07

RECEIVED OF Robert Goosen PO Box 481 Piedmont SD 57769

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

Fee for Application for Permit No. <u>1890-1</u> 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. <u>1890-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)		
TOTAL	100	00

No.

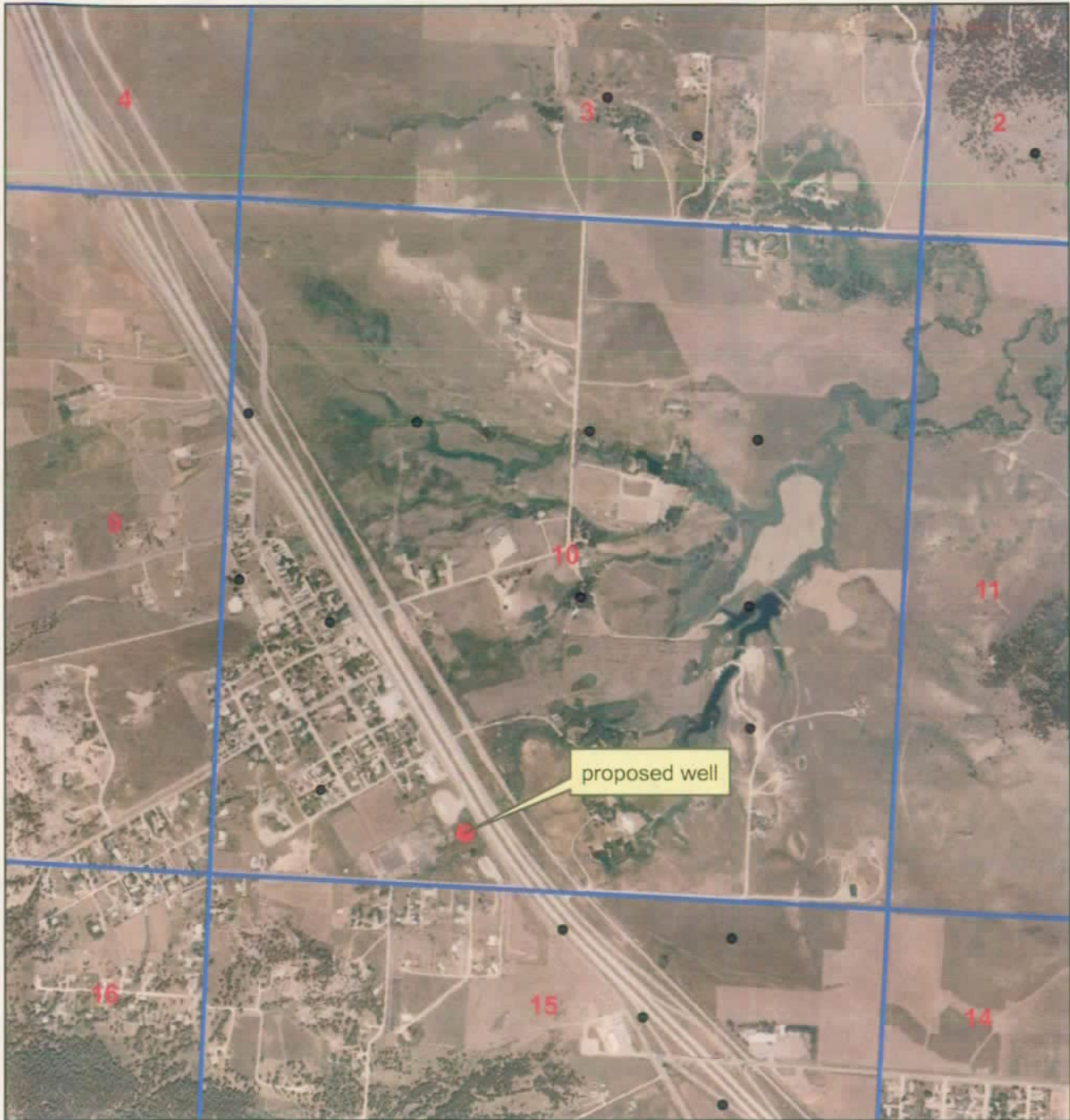
03166

By

David Erbe

Chief Engineer

Robert Gossen Water Permit Application



0 420 840 1,680 2,520 3,360 Feet

Proposed well located in the S 1/2 SW 1/4 Section 10, T3N, R6E
based on the representation presented by Mr. Goosen.




Eric Gronlund
Water Rights Program, DENR
September 20, 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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1890-1, Robert Goosen**

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. 1890-1, Robert Goosen, Box 481, Piedmont SD 57769.

The Chief Engineer is recommending APPROVAL of Application No. 1890-1-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualification:

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.

See report on application for additional information.

Garland Erbele, Chief Engineer
October 29, 2007

WATER PERMIT APPLICATION NO. 1890-1
ROBERT GOOSEN
OCTOBER 10, 2007

Water Permit Application No.1890-1 proposes to appropriate 0.044 cubic feet of water per second (cfs) [approximately 20 gallons per minute] from one well to be completed into the Minnelusa aquifer, approximately 480 feet deep, located in the S½ SW¼ Section 10, T3N-R6E, Meade County. The water will be used for commercial use.

AQUIFER: Minnelusa aquifer (MNLS)

GENERAL:

The Minnelusa Formation consists of alternating beds of sandstone and dolomitic limestone with lesser amounts of shale and chert, approximately 500 feet thick in this area (Carter and Redden, 1999a; Carter and Redden, 1999b). The outcrop (recharge area) of the Minnelusa Formation is located approximately one-half mile south of this well site, and the top of the formation is expected to be approximately 280 feet below grade at this well site (Carter and Redden, 1999a). The porous portions of the Minnelusa Formation form the Minnelusa aquifer. Well sorted sand lenses have porosity's approaching 25%, but generally the sands have porosity's of 10%. 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 virtually all of western South Dakota and the Minnelusa aquifer contains over 755 million acre-feet of recoverable water in storage (Allen and others, 1985). The Minnelusa aquifer underlies approximately 2,172,800 acres of Meade County and contains an estimated 81,480,000 acre-feet of recoverable water in storage in the county (Allen and others, 1985). Ground water movement in the aquifer in this area is probably toward the northeast (Strobel, and others, 2000). The water quality of the aquifer is generally good near the outcrop but deteriorates considerably with distance from the recharge area. Estimates from regional studies of the aquifer indicate the aquifer transmissivity may range from 0.86 to 12,000 ft²/d, and the storage coefficient ranges from 0.003 to 5.0 x10⁻⁹ (Driscoll, and others, 2002). The static water level for a well at this proposed site is expected to be within 50 feet of the ground surface and a well at this site could flow (Strobel and others, 2000).

WATER AVAILABILITY:

The availability of unappropriated water from an aquifer can be evaluated by considering SDCL 46-6-3.1. This statute requires that an application to appropriate groundwater can not 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 average estimated annual recharge.

Recharge to the Minnelusa aquifer is primarily from infiltration of precipitation on the outcrop and stream flow losses. Average annual recharge in the Black Hills area from 1931-1998 was estimated to be approximately 112,000 acre-feet per year (Carter and others, 2001a).

There are a total of 196 appropriations from the Minnelusa aquifer in South Dakota, including one future use permit, which reserves 1,364 ac-ft/yr (Water Rights, 2007b). Future Use Permit No. 902-2 was approved in 1967, for the South Dakota Cement Plant. In 2001 the cement plant was sold from the South Dakota State Cement Plant Commission to GCC Dacotah, Inc. While the other water rights that were held by the State Cement Plant were transferred from the Commission to GCC Dacotah, Inc., Future Use Permit No. 902-2 has not been transferred and it continues to be held by the Commission.

Maximum well withdrawals from the Minnelusa aquifer, assuming (1) that permits/rights with an annual withdrawal limitation (ac-ft/yr.) will use the maximum allowable; and (2) permits/rights that are limited by a diversion rate only, will use 60% of the maximum allowable (considered reasonable for water distribution systems); would be approximately 25,000 acre-feet per year. Withdrawals from wells (domestic and appropriative) completed into the Minnelusa aquifer in the Black Hills area were estimated to be 8,140 acre-feet annually from 1987-1996 (Carter and others, 2001b).

Comparison of annual recharge estimates and estimated annual well withdrawals show that well withdrawals from the Minnelusa are only a fraction of estimated average annual recharge. Therefore, based on a simple water budget, it is clear that unappropriated water is available for this appropriation. A water budget is not intended to suggest that all of the water that is in storage in the Minnelusa aquifer or that all of the recharge is available for this appropriation, merely to demonstrate that in general the aquifer is an immense resource that is relatively untapped.

Observation Well Data:

The best information available to evaluate development as it relates to recharge, is historical records and data from observation wells. The difference between withdrawal from an aquifer and recharge is reflected by the water level of the aquifer. If the water level of an aquifer continues to decline, it may suggest that withdrawals exceed recharge. The Water Rights Program monitors 23 observation wells completed into the Minnelusa aquifer in the Black Hills area (Water Rights, 2007a). Water Rights' Observation Well MD-84A is located approximately one-quarter mile southeast of the well that is proposed by this application. A comparison of the hydrograph for MD-84A (figure 1), with hydrographs of observation wells with longer periods of record indicates the data is representative for the Minnelusa aquifer. The water levels reach annual highs in the early summer each year and gradually decline until spring a consequence of the majority of the recharge to the system occurring between March and July.

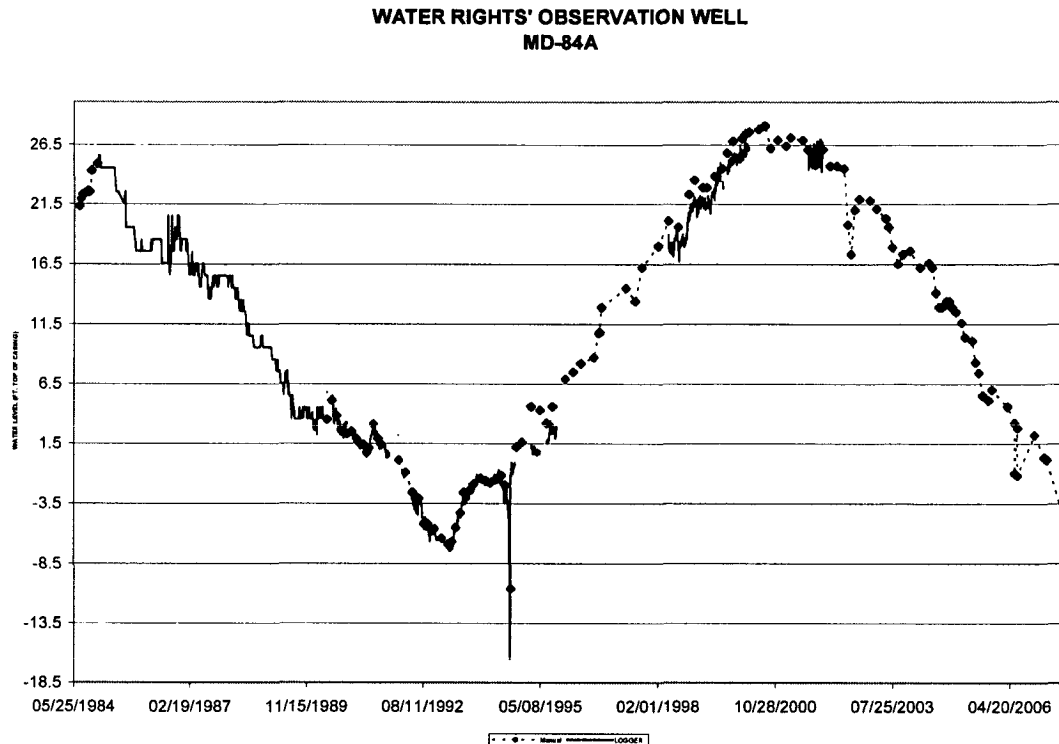


Figure 1. Hydrograph of Water Rights' Observation Well MD-84A, located approximately one-quarter mile south east of the well site proposed by this application.

It is obvious from this hydrograph and other hydrographs of Minnelusa observation wells that the aquifer responds well to climatic conditions. The hydrograph shows the magnitude of fluctuation in the water levels in this area is approximately 35 feet. The water levels were high in the mid 1980's and the late 1990's through 2000 due to wet conditions and the water levels were lower in the earlier 1990's and the present time in response to drier conditions. Although there have been periods when discharge from the aquifer has exceeded recharge, as evidenced by declining water levels, there is essentially no difference in the amount of water currently in storage in the aquifer than there was in 1993. The observation well data suggests that the aquifer is capable of sustaining additional withdrawals.

AFFECTS ON EXISTING RIGHTS:

There are 25 Water Rights/Permits appropriating groundwater within two miles of the well site proposed by this appropriation, they are shown in table 1 (Water Rights, 2007b). Wells not supplied by the Minnelusa aquifer will not be impacted by this proposed appropriation since the Minnelusa is hydrologically isolated from the shallower and deeper aquifers.

PERMIT NO	NAME	AQUIFER	USE	CFS
1155-1	DONALD/BETTY WITTINGER	MNLS	COM	0.03
1336-1	PIEDMONT SENIOR CITIZENS CENTER	MNKT	INS	0.10
1338-1	BLACK HILLS PETRIFIED FOREST	INKR	COM	0.03
1512-1	ELK CREEK STEAKHOUSE	MNLS	COM	0.02
1533-1	MEADE SCHOOL DIST 46-1	MNLS	INS	0.10
1569-1	STAGEBARN SANITARY DIST	MDSN	SHD	0.28
1607-1	BLACK HILLS PETRIFIED FOREST	MNLS	COM	0.07
1614-1	OPEN SEASON LLC	MNLS	COM	0.08
1641-1	LANTIS FIREWORKS	SPRF	COM	0.02
1647-1	ROD WOODRUFF	MNLS	COM	0.10
1682-1	STANLEY W SCHEURER	MNLS	SHD	0.11
1688-1	JAKE OR LYNNE MOONEY	INKR	COM	0.09
1847-1	ELK CREEK VILLAGE / NORTHERN MEADOWS	MNLS	SHD	0.17
1902-2	CAROL'S SLASH J BAR	MNLS	COM	0.01
989-1	ELK CREEK WATER CO., INC	MNLS	SHD	0.22
1507-1	PIEDMONT BAPTIST CHURCH	MNLS	INS	0.02
1640-1	BIG D OIL	MNLS	COM	0.04
1676-1	STAGEBARN SUBDIVISION	MDSN	SHD	0.28
1694-1	DAN C KESSLER	MNLS	COM	0.07
1736-1	ELK MOUNTAIN ESTATES	MDSN	SHD	1.11
1759-1	PIEDMONT FIRE PROTECTION	MNLS	DOM	0.09
1787-1	KASKI HOMES INC	MNLS	SHD	0.10
1825-1	VALLEY VIEW LAND CO LLC	MDSN	SHD	0.50
1845-1	MEADE SCHOOL DIST 46-1	MNLS	INS	0.04
1849-1	GRACE UNITED METHODIST CHURCH	MNLS	INS	0.10

Table 1. Groundwater appropriations within two miles of the well site proposed by Permit Application No. 1890-1

Of the Water Rights/Permits shown in table 1, thirteen of the Minnelusa aquifer appropriations are from within approximately three-fourths of a mile of the well proposed by this application. The well that supplies Water Permit No. 1849-1 is located about 700 feet west-southwest of the well site proposed by this application.

There are 166 Water Well Completion Reports on file with the Water Rights Program for supply wells within approximately two miles of the well proposed by this application. Ninety one of these reports are for wells that appear to be completed into the Minnelusa aquifer.

The potential that adverse interference with existing wells will result from this proposed appropriation is small due to the relatively low diversion rate proposed by this application.

The observation well data confirms that significant drawdown is not occurring in this area under existing conditions. This additional diversion is not expected to change this scenario.

Although the impact of approving this application cannot be quantified precisely, it is still possible to address whether this appropriation can be made without adversely affecting water rights, including domestic wells. Water Management Board rules 74:02:04 and 74:02:05, which were promulgated pursuant to SDCL 46-6-6.1, provide protection to prior appropriators only to the degree necessary to maintain an adequate depth of water in wells that have the ability to produce water independent of artesian pressure. Simply put, the pump placement, or artesian flow, in a prior appropriator's well is not necessarily protected. In fact, in past action, the Water Management Board has concluded that if increased cost or decreased production is considered an adverse impact, it could be in conflict with SDCL 46-1-4, which requires South Dakota's water resources to be put to beneficial use to the fullest extent of which they are capable. Considering the Board's past actions, any well interference this proposed use would have on area water rights/permits and domestic wells is not expected to be significant or adverse. It may be necessary to lower pumps in some wells to maintain water use at the present level.

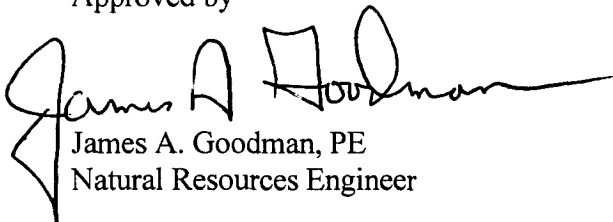
CONCLUSIONS:

1. The Minnelusa aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. The Minnelusa aquifer 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 Engineer

Approved by



James A. Goodman, PE
Natural Resources Engineer

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 3A. B.C. and 4A. B.: Groundwater Resource Inventory: South Dakota Department of Water and Natural Resources,
- Carter, J.M., and Redden J.A., 1999a, 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, 2 sheets, scale 1:100,000
- Carter, J.M., and Redden J.A., 1999b, Altitude of the Top of the Madison Limestone in the Black Hills Area, South Dakota: U.S. Geological Survey: Hydrologic Investigations Atlas HA-744-D, 2 sheets, scale 1:100,000
- 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, 66 p.
- 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, 53 p.
- Driscoll, D.G., Carter, J.M., Williamson, J.E., and Putnam, L.D., 2002, Hydrology of the Black Hills Area, South Dakota: U.S. Geological Survey Water Resources Investigations Report 02-4094, 150 p.
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, US Army Corps of Engineers, Draft Report-Final
- Strobel, M.L., Jarrell, G.J., Sawyer, J.F., Schleicher, J.R., and Fahrenbach, M.D., 1999, Distribution of Hydrogeologic Units in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-744-C, 3 sheets, scale 1:100,000
- Strobel, M.L., Galloway, J.M., Hamade, and G.R., 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, 2 sheets, scale 1:100,000
- Water Rights Program, 2007a, Observation Well Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights Program, 2007b, Water Permit/Right Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights Program, 2007c, Well Completion Report Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

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NOV 19 2007

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Meade) SSI, Pam Buhlercertify that the attached printed Notice was
takenfrom the Meade Co Times
Tribuneprinted and published in Sturgis, SD
County of Meade andstate of South Dakota. The notice was
published

in the newspaper on the following two dates:

Nov 7, 2007Nov 14, 2007Cost of Printing 38.78Pam Buhler
(Signature)Office Manager / Notary
(Title)Nov 14, 2007
(Date Signed)

NOTICE OF APPLICATION NO.

1890-1 to Appropriate Water

Notice is given that Robert Geosen, Box 481, Piedmont SD 57769 has filed an application for a water permit to appropriate 0.044 cubic feet of water per second from one well to be completed into the Minnelusa Aquifer (approximately 400 feet deep) located in S 1/2 SW 1/4 Section 10-T3N-R6E for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1890-1 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 this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendations 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 November 26, 2007.

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
Meade County Times-Tribune
Publ. Nov. 7 & 14, 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

October 29, 2007

Meade County Times & Tribune
PO Box 69
Sturgis SD 57785

ATTENTION: Legal Public Notice

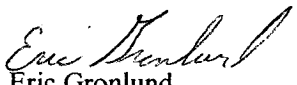
Enclosed is a Notice on Application No. 1890-1 to Appropriate Water to be published twice. Please publish the first notice on November 7, 2007 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Robert Goosen, PO Box 481, Piedmont SD 57769 (Ph # 605-787-4434).

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. 1890-1

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

Date _____

We are in receipt of your letter of October 29, 2007 enclosing Notice to Appropriate Water by Application No. 1890-1 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
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.

October 29, 2007

Robert Goosen
PO Box 481
Piedmont SD 57769

Dear Mr. Goosen:

Water Permit Application No. 1890-1 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 Publisher of the Meade County 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 report on the application is enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. 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 applications.

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 November 7, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1890-1 to Appropriate Water

Notice is given that Robert Goosen, Box 481, Piedmont SD 57769 has filed an application for a water permit to appropriate 0.044 cubic feet of water per second from one well to be completed into the Minnelusa Aquifer (approximately 480 feet deep) located in S ½ SW ¼ Section 10-T3N-R6E for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1890-1 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 this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendations 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 November 26, 2007.

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.



JAN 24 2000

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Robert Goosen
PO Box 481
Piedmont SD 57769

Dear Mr. Goosen:

Enclosed is Water Permit No. 1890-1 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

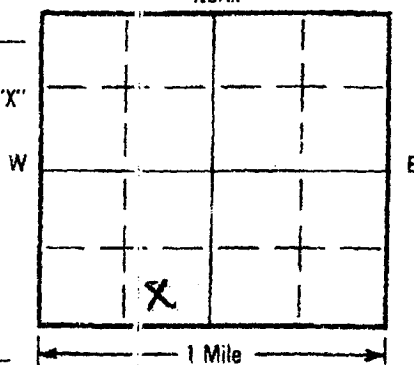
enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

 Location SE 1/4 SW 1/4 Sec 10 Twp 3N Rg 6E
 County MEADE

Please mark well location with an "X"



Well Completion Date

12/19/07

LOCATION:

 Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 150 ft. from Septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

AIR RotaryCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>17</u> LB/FT	<u>5.5</u> IN	<u>1.5</u> FT	<u>340</u> FT	<u>7 7/8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland</u>	<u>60</u>	<u>14</u> lb./gal	<u>340</u> ft.	<u>0</u> ft.

Describe grouting procedure PRESSURE grouted through casingSCREEN: ☐ 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? _____

Laboratory sent to for water quality analysis _____

Well Owner: Robert Goosen

Business Name: _____

Address: 11499 Mountain Shadow Rd.
Piedmont SD 57769

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Brown Clay / Rocks</u>	<u>0</u>	<u>15</u>
<u>Red Shale</u>	<u>15</u>	<u>120</u>
<u>Minekata Limestone</u>	<u>110</u>	<u>150</u>
<u>Purple siltstone</u>	<u>150</u>	<u>170</u>
<u>Opeche shale</u>	<u>170</u>	<u>270</u>
<u>Mineka USA</u>	<u>270</u>	<u>350</u>

STATIC WATER LEVEL 0 Feet

If flowing: closed in pressure _____ PSI

GPM flow 1 through 5.5 inch pipeControlled by ☒ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? yes

WELL TEST DATA:

☐ PumpedDescribe: AIR Developed☐ Bailed☒ Other _____

Pumping Level Below Land Surface

340 ft. After 2 Hrs. pumped 20 GPM340 ft. After 2 Hrs. pumped 15 GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

JAN - 9 2008

WATER RIGHTS
PROGRAMThis well was drilled under license # 705

And this report is true and accurate

Drilling firm DAKOTA BICE

Signature of License Representative:

Frank Conway

Signature of Well Owner or Equitable Property Holder:

Date: _____

September 20, 2007

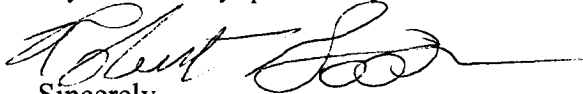
Jim Goodman
Water Rights Program, DENR
523 E Capitol Avenue
Pierre SD 57501

Dear Mr. Goodman:

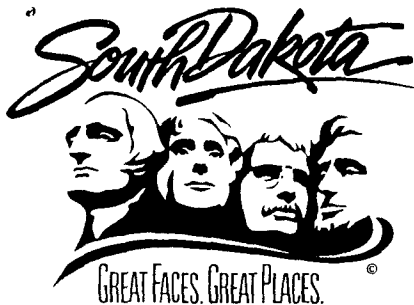
I am hereby requesting to complete a test well for my custom meat processing operation. Bice Drilling is scheduled to drill a new well to an approximate depth of 150 – 200 feet on or about the first of November. I just became aware of the water permitting process and have filed the necessary application to appropriate water.

Since I want to keep my project on schedule, I would like to drill the well prior to the water permit being formally in place.

If you have any questions you can reach me at 787-9547.


Sincerely,

Robert Goosen
Box 481
Piedmont SD 57769



1890-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 25, 2007

Robert Goosen
Box 481
Piedmont, SD 57769

Dear Mr. Goosen:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, Dakota Bice Drilling Company is authorized to construct a test well for Robert Goosen prior to approval of a water permit. 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.

A SD Water Permit must be obtained before water from this well can be used. Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application; and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit.

Very truly yours,

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

1890-1
RECEIVED

MAR - 6 2009

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 3-4-09TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

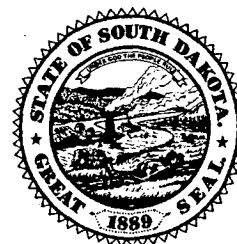
FROM:

Robert Gooson
(name)15475 Sturgis Road P.O. Box 481
(address)Piedmont S.D. 57769 605-787-9547
(city, state, zip) (phone)

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

Water Permit No. 1890-1 states that the water use system is to be constructed by 11-26-2012 11-26-2012
(date) (date) , and water is to be put to beneficial use by 11-26-2012 2016
(date) (date)The water use system was completed on 3-1-08 12-19-07
(date) (date)Applying the water to beneficial use was completed on 3-1-08
(date) (date)

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

[Signature]
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 26, 2009

1890-1

Robert Goosen
PO Box 481
Piedmont SD 57769-0481

Dear Mr. Goosen:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your water use system.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

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

Permit No. 1890-1
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, **September 21, 2009**, made a thorough examination of the water use system constructed by **Robert Goosen** of **PO Box 481, Piedmont, SD 57760** holder of Permit No. **1890-1**, bearing the priority of **September 20, 2007** authorizing the diversion of **0.044** cu. ft. per second of the waters of the **Minnelusa Formation** for **Commercial use** purposes, in **Meade** County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Dakota Bice Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **350** feet

Casing:

- 1) Diameter **5 ½** inches
- 2) Length **340** feet
- 3) Type **Steel**
- 4) Static water level **0** feet

Pump:

- 1) Make **Goulds**
- 2) Model **10GS15422**
- 3) Size **1 ½ hp**
- 4) Capacity **10** GPM

B. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by **Y**
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **NA**
- 3) Exceptions to compliance are: **None**

Report of Examination of Works

Permit No. 1890-1

The system is in **Good** condition with the point(s) of diversion located as follows:

Approximately 350 feet north and 2,040 feet east of the SW corner of Section 10-T3N-R6E

(N 44.22856, W -103.38492(SE ¼ SW ¼)

The works are capable of diverting and conveying to the place of use **0.022** cu. ft. per second of water which is to be used for **Commercial use**.

The license should be issued for **0.022** cfs.

All structures, wells and lands on map **Y**

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



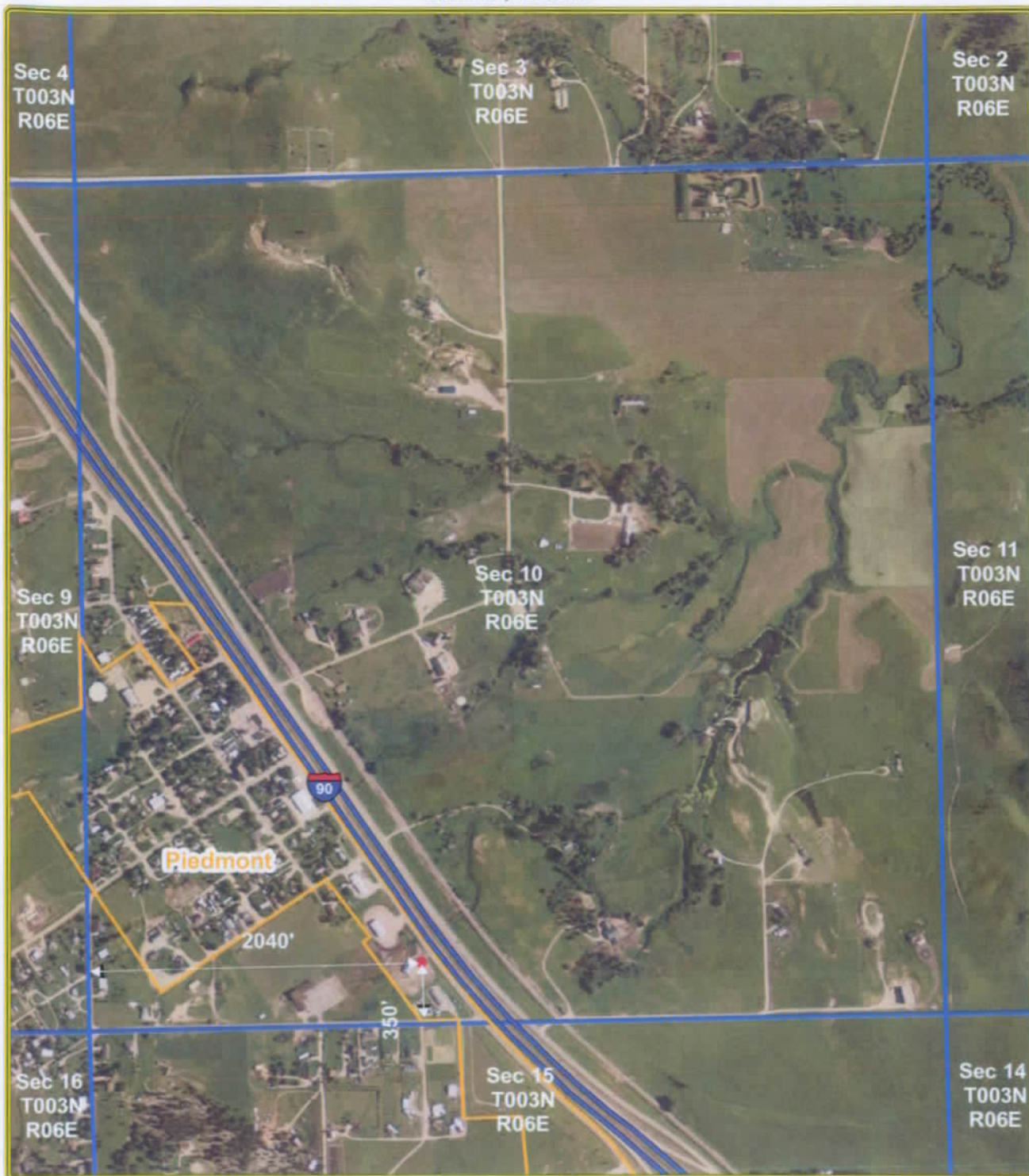
Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: **May 21, 2010**

Water Permit No. 1890-1

Robert Goosen
PO Box 481
Piedmont, SD 57769



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
May 21, 2010

0 485 970 1,940 2,910 3



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow... Today



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 28 2010

1890-1

Robert Goosen
PO Box 481
Piedmont SD 57769-0481

Dear Mr. Goosen:

Enclosed is Water License No. 1890-1. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1890-1, 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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1890-1

(1) Robert Goosen, PO Box 481, Piedmont SD 57769-0481 made Application No. 1890-1, September 20, 2007 for a water permit to divert 0.044 cubic feet of water per second from ground water (one well – Minnelusa Aquifer), Meade County, South Dakota for commercial purposes. Permit No. 1890-1, with a priority date of September 20, 2007 was approved November 26, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 26, 2012 and for the application to beneficial use of said water on or before November 26, 2016.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on March 6, 2009 indicating the water use system was completed and the water placed to beneficial use.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.022 cubic feet of water per second (10 gallons per minute) for beneficial use.

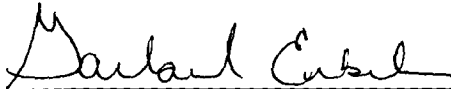
The location of the diversion point is approximately 350 feet north and 2,040 feet east of the SW corner of Section 10, T3N, R6E (SE ¼ SW ¼).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Robert Goosen, PO Box 481, Piedmont SD 57769-0481 the holder and/or owner of Water Right No. 1890-1 is issued a license to appropriate water, the right to use 0.022 cubic feet of water per second from ground water (one well – Minnelusa Aquifer) with a priority date of September 20, 2007 from the location specified in (2) of this license for commercial use purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1890-1 and subject to the following qualification:

- 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.



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

JUL 28 2010

date

