

WATER PERMIT NO. 2336-2

Phone: 673-3905

Name of Applicant: Roger C. and ^YMarch C. Krogman

Post Office Address: Rt 1, Box 57-E, Custer SD 57730

Amount of Water Claimed: 0.033 cfs (15 gpm) Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial County: Custer

Location: 4 miles west of Custer

PRIORITY Date Received: 4-14-95 Fee: \$50

Corrected Application Received: 5-23-95 Period of Annual Use: Jan 1 - Dec 31

Remarks: for commercial use in a ghost town tourist attraction

Diversion Point: SE 1/4 NW 1/4 Sec 5-T4S-R4E

Land to be Irrigated: _____

		⊗	5		

Well Log: Driller: Charles Howe Licensed: YES X NO _____

Depth of Well: 57 feet REMARKS: _____

Type of Map: plat Prepared By: H. A. Hunter Reviewed and the Number

Assigned on: 5-23-95 By: Karen Schlaak

FORM 2: Application for uses other than irrigation

(type or print)



Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 2336-2 Hydrologic Unit 10/20/09
Basin Upper Cheyenne
Newspaper Custer Co. Chronicle, Box 551
(office use only)

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

Check use of water:

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

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.) _____

- Name of Applicant ROGER C. / Mary C. KROGMAN Phone 673-3905
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address RT 1 Box 57-E Custer State S.D. 57730
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 0.033 *CFS or 15 **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 Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
PT L MAYER TR IN SE1/4 NW 4 Sec 5 T45 R4E BEARING
N64°W 651 FEET FROM CENTER OF SECTION County Custer
- County or counties where water will be used Custer
- Annual period during which water is to be used Jan - 1 to 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)

For use at 4-Mile (ghost town tourist attraction)

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)

STATE OF SOUTH DAKOTA)

County of Custer)^{SS}

I, Mary C. Krogman, 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 Mary C. Krogman

Subscribed and sworn to before me this 22 day of April 19 95

NOTARY Expires 2-11-14-02

Christine Hedden

**SOUTH DAKOTA
WATER PERMIT NO. 2336-2**

Date of first receipt of application April 14, 1995.

Date of return to applicant for corrections, amendments or changes April 17, 1995.

Date of receipt of corrected application May 10, 1995.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2336-2 to Roger C. and Mary C. Krogman, Rt 1, Box 57-E, Custer SD 57730 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. 2336-2 appropriates 15 gallons per minute (0.033 cubic feet of water per second) from one well (Precambrian Rock) 57 feet deep located in the SE 1/4 NW 1/4 (Henderson Subdivision) Section 5-T4S-R4E.
2. The water appropriated shall be used for the purpose of supplying water for commercial use and may not exceed the amount of water needed for beneficial use for commercial use purposes.
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. 2336-2 is July 10, 1995.
5. The date from which applicant may claim right is April 14, 1995.
6. One-fifth of the construction is to be completed on or before January 10, 1998.
7. All construction is to be completed on or before July 10, 2000.
8. Water is to be put to beneficial use on or before July 10, 2004.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 14 1995

date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth 100 to 150 ft
- b) Casing Type plastic (PVC) Diameter 6" Thickness 3/8"
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well: _____

On applicants property _____ On property owned by others _____

2. Dugout Information

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

3. 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

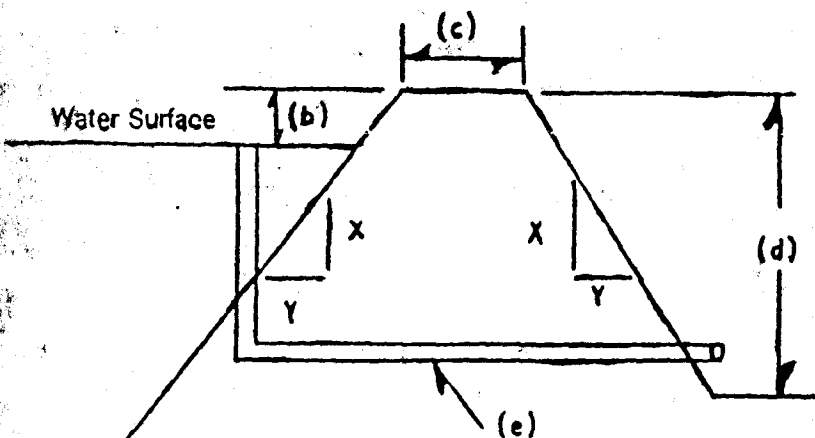
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

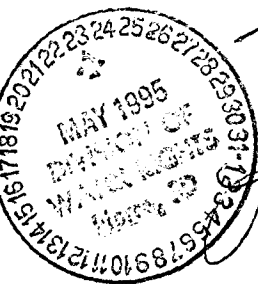
j) Drainage Area Above Dam _____ Acres



Karen

Here is my
copy of the well
drillers log.

Thanks



Nancy
Frogman

PLAT OF TRACTS 1, 2, AND 3 OF LOT 2 OF
TRACT A, BEING A PORTION OF H.E.S. 67
AND THE P.F. HENDRICKSON HOMESTEAD LOCATED
IN THE W 1/2 OF SECTION 5, T4S, R4E, B.H.M.
CUSTER COUNTY, SOUTH DAKOTA

This certifies this document to be a true
copy of land plat filed in Plat Book 10
Page 194 in the office of Custer County
Register of Deeds



H.A. Hunter
H.A. Hunter
Director of Plans
Custer County

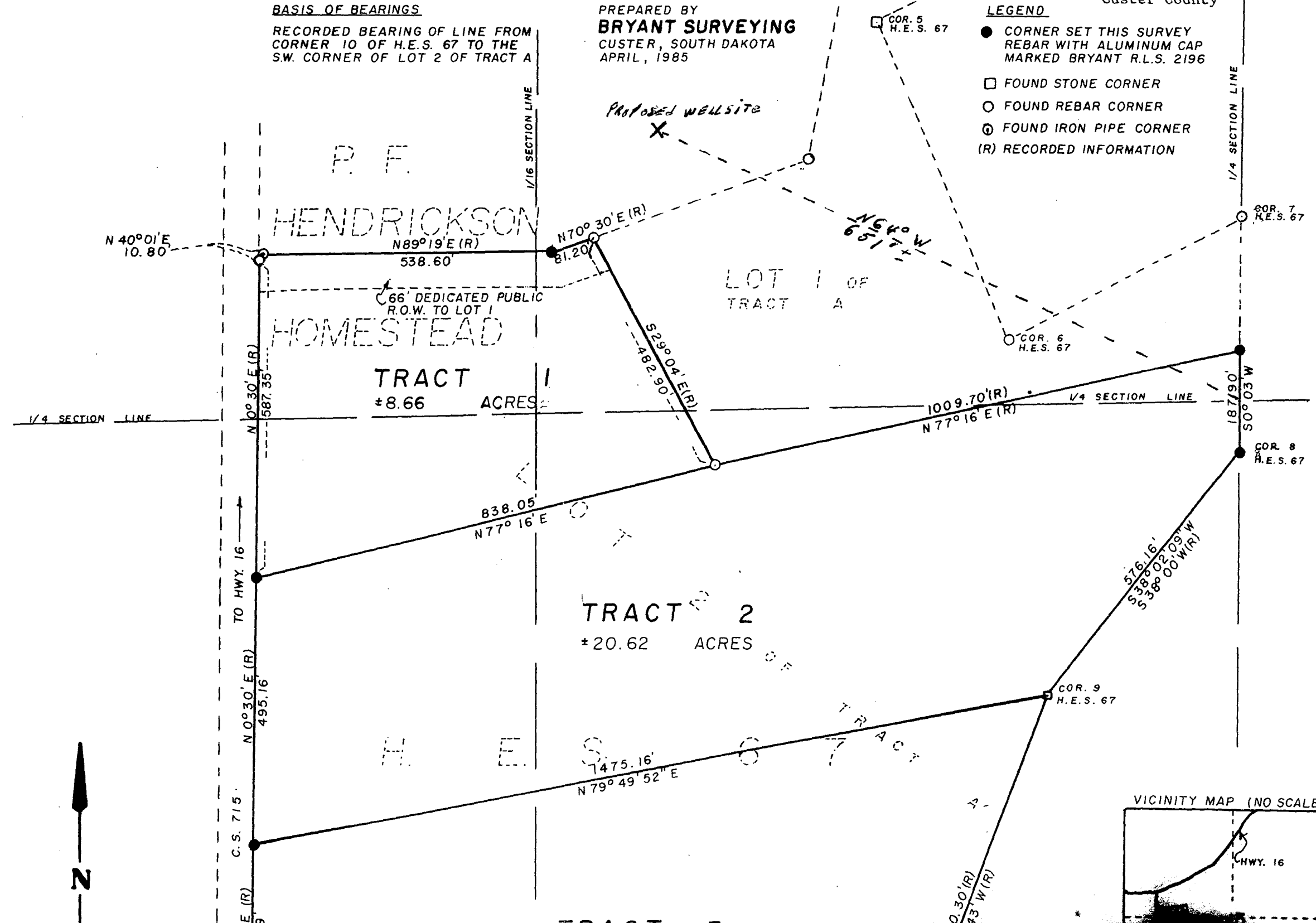
BASIS OF BEARINGS

RECORDED BEARING OF LINE FROM
CORNER 10 OF H.E.S. 67 TO THE
S.W. CORNER OF LOT 2 OF TRACT A

PREPARED BY
BRYANT SURVEYING
CUSTER, SOUTH DAKOTA
APRIL, 1985

LEGEND

- CORNER SET THIS SURVEY
REBAR WITH ALUMINUM CAP
MARKED BRYANT R.L.S. 2196
- FOUND STONE CORNER
- FOUND REBAR CORNER
- ⊙ FOUND IRON PIPE CORNER
- (R) RECORDED INFORMATION



Department of Environment and Natural Resources
523 East Capitol
Pierre, South Dakota 57501-3181



Dear Ms. Schlaak,

The following is in reply to you April 17, 1995 letter.

The well driller log has been forewarded to you by him.

The disposal system will be a septic tank with a 1200 foot drain field if the installer arrives in 1995.

The enclosed fee of \$50.00 is for the application.

If there are any questions please contact us.

Sincerely,

Mary C. Krogman
Fourmile
Rt. 1 Box 57-E
Custer, South Dakota 57730



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

April 17, 1995

Roger C. and Mary C. Krogman
Rt 1, Box 57-E
Custer SD 57730

Dear Mr. & Mrs. Krogman:

In regard to your water permit application received on April 14, 1995, the following information needs to be submitted in order to process your application.

1. A well log or driller's test log signed by a South Dakota licensed well driller must accompany the application.
2. Please specify the type of wastewater disposal system that is utilized (ie. septic tank, drainfield). Also, specify the capacity of the system and the approximate year of construction.
3. Enclosed is the application filing fee of \$150.00. The fee for your application is \$50.00.

Upon receipt of the above, further processing of your application will continue. If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
605 773-3352

enclosure

RECEIPT

414495

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, May 10, 19 95

RECEIVED OF Mary C. Krogman, RC & MC, Rt 1 Box 57-E, Custer, SD 57730

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

Fee for Application for Permit No. <u>2336-2</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. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hark
Chief Engineer

Roger C. and Mary C. Krogman
Rt. 1 Box 57-E

Custer, S.D. 57730

Department of Environment and
Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Attn; Eric Gronlund



Dear Sir;

In failing to hear from you about Water Permit Application number 2336-2 I began trying to chase down the paperwork only to find the affidavit of publication was never sent to you.

I am forwarding the same in hopes it is still valid.

Expecting to hear from you if there is a problem, I remain;

Sincerely,

Mary C. Krogman
Rt. 1 Box 57-E
Custer, S.D. 57730
605 673-3905

REPORT ON WATER PERMIT APPLICATION NO. 2336-2
for Roger C. and Mary C. Krogman
June 14, 1995

Application No. 2336-2 proposes to appropriate 15 gpm (0.033 cfs) from one well approximately 57 feet deep located in the SE 1/4 NW 1/4 of section 5, T4S R4E in Custer County. The water is for commercial use.

AQUIFER - PRECAMBRIAN ROCK (CRSL)

The Precambrian rock consists of metagraywacke and quartz-mica schist or phyllite in this area (Redden, 1975). The rock is under unconfined or water table conditions and ground water is obtained primarily from fractures within the rock type. Well yields are typically low and unpredictable. The well log submitted with the application indicates a total depth of 57 feet with a static water level of 18 feet below land surface. The report also indicates the well was capable of producing 20 gpm. The well is completed in accordance with SD Well Construction Standards.

The Division of Water Rights monitors an observation well CU-TEMP located about 5 miles northeast of this application which is also completed into Precambrian rock. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water level records indicate that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1995).

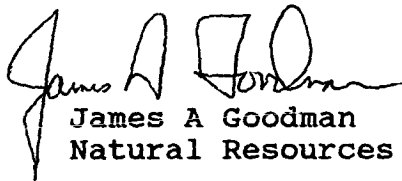
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights within 1 mile of this application. There are domestic wells in the same section. Interference is not expected to be a concern. This is a relatively small diversion rate and drawdown caused by pumping should not be significant nor extend very far from the production well.

CONCLUSIONS

1. Water is available from the Precambrian rock.
2. Interference is not a concern. The aquifer is under unconfined conditions and this is a relatively small diversion request.
3. The well is constructed in accordance with SD Well Construction Standards.

4. Wastewater will be disposed of on site through a septic tank and drainfield system.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Redden, J.A., 1975, Precambrian Geology of the Black Hills, in SDGS Bulletin 16, SD DENR, SDGS, Vermillion, SD, 57069.

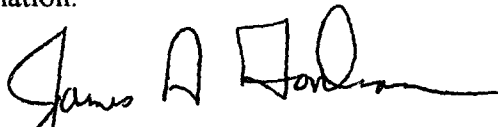
Water Rights, 1995, Unpublished Observation Well Data for Custer County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2336-2, Roger C. and Mary C. Krogman**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 2336-2, Roger C. and Mary C. Krogman, Rt 1 Box 57-E, Custer, SD 57730.

The Chief Engineer is recommending APPROVAL of Application No. 2336-2 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) in the public interest.

See report on application for additional information.


For JOHN HATCH, Chief Engineer
June 15, 1995



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

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

June 16, 1995

Roger C. and Mary C. Krogman
Rt 1 Box 57-E
Custer, SD 57730

Dear Mr. & Mrs. Krogman:

Water Permit Application No. 2336-2 for commercial 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 Custer Co. Chronicle printed at Custer, SD (Ph # 605-673-2217). 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. 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 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

June 16, 1995

Custer Co. Chronicle
Box 551
Custer, SD 57730-0551

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2336-2 to be published twice. Please publish the first notice on June 22, 1995, 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 Roger C. and Mary C. Krogman, Rt 1 Box 57-E, Custer, SD 57730 (Ph # 605-673-3905).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on June 22, 1995, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2336-2 to Appropriate Water

Notice is given that Roger C. and Mary C. Krogman, Rt 1 Box 57-E, Custer, SD 57730 has filed an application for a water permit to appropriate 15 gallons per minute (0.033 cubic feet of water per second) from one well (Precambrian Rock) 57 feet deep located in the SE 1/4 NW 1/4 (Henderson Subdivision) Section 5-T4S-R4E. The water is for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2336-2 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 Division, 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 July 10, 1995.

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 Division address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Affidavit of Publication

STATE OF SOUTH DAKOTA)

)SS.

COUNTY OF CUSTER)

James Anderson

of said county, being duly sworn, on oath says that she is publisher of _____ of the CUSTER COUNTY CHRONICLE, a weekly newspaper printed and published in Custer City, said County of Custer and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein, mentioned, and was and is printed wholly or in part in an office maintained at said place of

publication: that the Roger & Mary Krogman
Rt 1 Box 57-E Custer SD 57730

Notice of Hearing

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once each week for 2 successive week(s), on which said newspaper was regularly published, to wit:

6/22 1995; _____ 19____;
4/29 1995; _____ 19____;
____ 19____; _____ 19____;
____ 19____; _____ 19____;
____ 19____; _____ 19____;

the the full amount of the fees for the publication of the

annexed notice is \$ 36.94

James Anderson
Subscribed and sworn to me before this 11th

of July 1995;

Core Zueber
Notary Public

My commission expires: May 14, 2001



NOTICE OF HEARING OF APPLICATION NO. 2336-2 TO APPROPRIATE WATER

Notice is given that Roger C. and Mary C. Krogman, Rt. 1 Box 57-E, Custer, SD 57730 has filed an application for a water permit to appropriate 15 gallons per minute (0.033 cubic feet of water per second) from one well (Precambrian rock) 57 feet deep located in the SE 1/4 NW 1/4 (Henderson Subdivision) Section 5-T4S-R4E. The water is for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2336-2 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 Division, 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 July 10, 1995.

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 Division address to request copies of information pertaining to this application.

Nettie H. Myers, Secretary,
Department of Environment and
Natural Resources.

#4744, 6/22, 6/29



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

AUG 14 1995

Roger C. and Mary C. Krogman
Rt 1 Box 57-E
Custer, SD 57730

Dear Mr. & Mrs. Krogman:

Enclosed is Water Permit No. 2336-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
605 773-3352

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 25, 2001



2336-2

Roger C and Mary C Krogman
Rt 1 Box 57-E
Custer SD 57730

Dear Mr. & Mrs. Krogman:

On October 16, 2001 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2336-2, was completed by Donald E Stroup, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program
(605) 773-3352

Enclosed check # 5007

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 416998

Pierre, NOVEMBER 30, 20 01

RECEIVED OF Roger C and Mary C Krogman, Rt 1 Box 57-E, Custer, SD 57730
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. 2336-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By

Darland Erbe

Chief Engineer

gm

Permit No. 2336-2
Custer County

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

Other permit/license(s) associated with project: **None**

Contact Person & Address: **Mary C. Krogman, Four Mile Old West Town, Rt. 1, Box 57-E, Custer, SD 57730**

Report Of Examination Of Works

On **October 16, 2001**, I made a thorough examination of the water use system authorizing the appropriation of 0.033 cubic feet per second (cfs) of water from a well for commercial purposes at the Four Mile Old West Town and bearing the priority date of April 14, 1995.

The well and distribution system are in good condition and capable of pumping water at **15 gallons per minute (gpm)** or 0.033 cfs. The diversion point is in the **SE¼ NW¼ of Section 5 T4S R4E (N43.73270° W103.67200°), 1478-feet East and 2059-feet South of the Northwest Corner of the section.**

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by: **Yes**
- 2) All structures, wells and lands on map: **Yes**
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period: **NA**
- 4) Exceptions to compliance are: **None**

Report On the Specifics of the System

Diversion Point Information:

- | | |
|--|-----------------------------------|
| 1) Well Drilling Firm: Howe Well Drilling | 2) No. of Wells: 1 |
| 3) Depth(s): 57-feet | 4) Well log available: Yes |

Casing:

- 1) Diameter: **5-inch**
- 2) Length: **57-feet**
- 3) Type: **Plastic**

Screen:

- | | |
|---------------------------------------|----------------------|
| 1) Type: None | 2) Length: NA |
| 4) Static water level: 18-feet | |

Pump\ Motor:

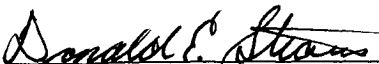
- | | |
|---|------------------------------------|
| 1) Pump Make: Unknown, Submersible, Electric | 2) Pump Model: NA |
| 3) Capacity: 15 gpm | 4) Motor Make: NA |
| 5) Motor Model No.: Unknown | 6) Horsepower rating: NA hp |

Distribution System:

- 1) Type: **Unknown**
- 2) Length: **Unknown feet**

COMMENTS:

This well should be licensed for the as built 15 gpm (0.033 cfs) diversion rate.



Donald E. Stroup

Natural Resources Project Engineer

DENR, Water Rights Program

10/24/01
Date

#2336-2
 Roger C. & Mary C. Krogman
 Four Mile Old West Town
 Rt. 1, Box 57-E
 Custer, SD 57730

2059'

1478'36"

5417

5400

5400

5440

5323

5307

5590

5

Well

Fourmile Sch

Fourmile

T4S R4E

16

Donald E. Stroup 10/28/01
 Donald E. Stroup
 Natural Resources Project Engineer
 DENR Water Rights Program

Donald E. Stroup 10/28/01
Donald E. Stroup
Natural Resources Project Engineer
DENR Water Rights Program

1 Miles

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2336-2

(1) Roger C and Mary C Krogman, Rt 1 Box 57-E, Custer SD 57730 made Application No. 2336-2, April 14, 1995 for a water permit to divert 0.033 cubic feet of water per second from groundwater (one well), Custer County, South Dakota for commercial purposes. Permit No. 2336-2, with a priority date of April 14, 1995 was approved July 10, 1995 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 10, 2000 and for the application to beneficial use of said water on or before July 10, 2004.

(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 0.033 cubic feet of water per second for beneficial use. The location of the diversion point is 1,478 feet east and 2,059 feet south of the northwest corner of Section 5-T4S-R4E (SE ¼ NW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use at the Four Mile Old West Town.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Roger C and Mary C Krogman, Rt 1 Box 57-E, Custer SD 57730 the holder and/or owner of Water Right No. 2336-2 is issued a license to appropriate water, the right to use 0.033 cubic feet of water per second from groundwater (one well) with a priority date of April 14, 1995 from the location specified in (2) of this license for commercial purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2336-2 and subject to South Dakota State Law.



GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 07 2001

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 07 2001

2336-2

Roger C and Mary C. Krogman
Rt 1 Box 57-E
Custer, SD 57730

Dear Mr. and Mrs. Krogman:

Enclosed is Water License No. 2336-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416998 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

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. 2336-2, 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,

A handwritten signature in black ink, reading "Garland Erbele". The signature is written in a cursive, flowing style.

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

enclosures