

**WATER PERMIT NO. 2386-2**

Name of Applicant: Town of Keystone

Address: PO Box 689, Keystone SD 57751

Phone: 605 666-4827

Amount of Water Claimed: 45 gpm (0.10 cfs)

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: municipal use at wastewater treatment facility

County: Pennington

Type of Waste Disposal System: connected to the City's sanitary system

Location:

PRIORITY Date Received: 5-16-1997

Fee: \$50.00

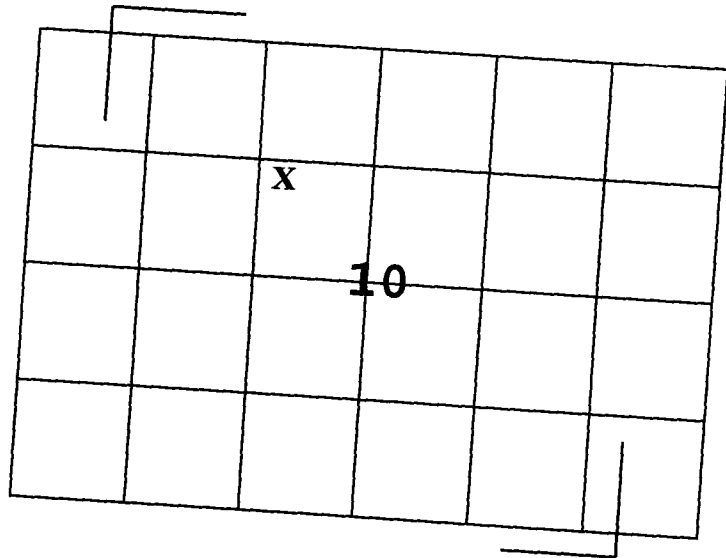
Corrected Application Received:

Period of Annual Use: January 1- December 31

Remarks: For restroom and laboratory use at the wastewater treatment facility

Diversion Point: SE 1/4 NW 1/4 Sec 10-T2S-R6E

Land to be Irrigated:



Depth of Well: 100 to 200 feet deep

Well Driller:

Remarks:

Type of Map: plat

Prepared by: Gary Renner, PE & PLS

Reviewed and the Number Assigned on: 5-21-97

By: Karen Schlaak

Notice of Hearing - date to intervene: \_\_\_\_\_

**SOUTH DAKOTA  
WATER PERMIT NO. 2386-2**

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Date of first receipt of application May 16, 1997.

The Water Management Board approved Water Permit No. 2386-2 on October 1, 1997 for the Town of Keystone, PO Box 689, Keystone SD 57751 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. 2386-2 appropriates 0.10 cubic feet of water per second (45 gallons per minute) from one well 100-200 feet deep (Crystalline Rock) located in the SE 1/4 NW 1/4 Section 10-T2S-R6E.
2. The water appropriated shall be used for the purpose of municipal use and may not exceed the amount of water needed for beneficial use for supplying water to the wastewater treatment facility.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is May 16, 1997.
5. One-fifth of the construction is to be completed on or before April 1, 2000.
6. All construction is to be completed on or before October 1, 2002.
7. Water is to be put to beneficial use on or before October 1, 2006.
8. 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. 2386-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 pursuant to Section 74:02:04:32.

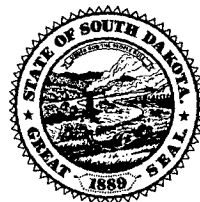
**WATER MANAGEMENT BOARD**

By: \_\_\_\_\_

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

NOV 12 1997

date



Mail to:  
Water Rights Program  
Joe Foss Building  
523 E. Capitol  
Pierre, SD 57501-3181  
(605) 773-3352

(office use only)  
No. 2386-2 Hydrologic Unit 10120109  
Basin Upper Chayenne  
Newspaper Rapid City Journal, Rapid City, SD



# 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.) \_\_\_\_\_

1. Name of Applicant Town of Keystone  
(check one) ☒ Owner ☐ Tenant/lessee Phone 666-4827  
Mailing Address P.O. Box 689 Keystone State So Dak 57751  
(Street, RR. or Box) (Zip Code)  
2. Amount of water claimed 0.10 \*CFS or 45 \*\*GPM \*\*\*AF  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*) Acre Feet - storage capacity of dam/dugout or annual use if applicable  
3. Source of water supply well

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)  
NE 1/4 - SE 1/4 - NW 1/4 - Section 10 - T25 - R6E - B14M  
Pennington County

5. County or counties where water will be used Pennington County  
6. Annual period during which water is to be used 12 months per year Jan 1 - Dec 31

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed) The water will be used for the proposed Wastewater Treatment Facility. The Facility will have a restroom and a laboratory. We will need an emergency water supply for washdown.

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)

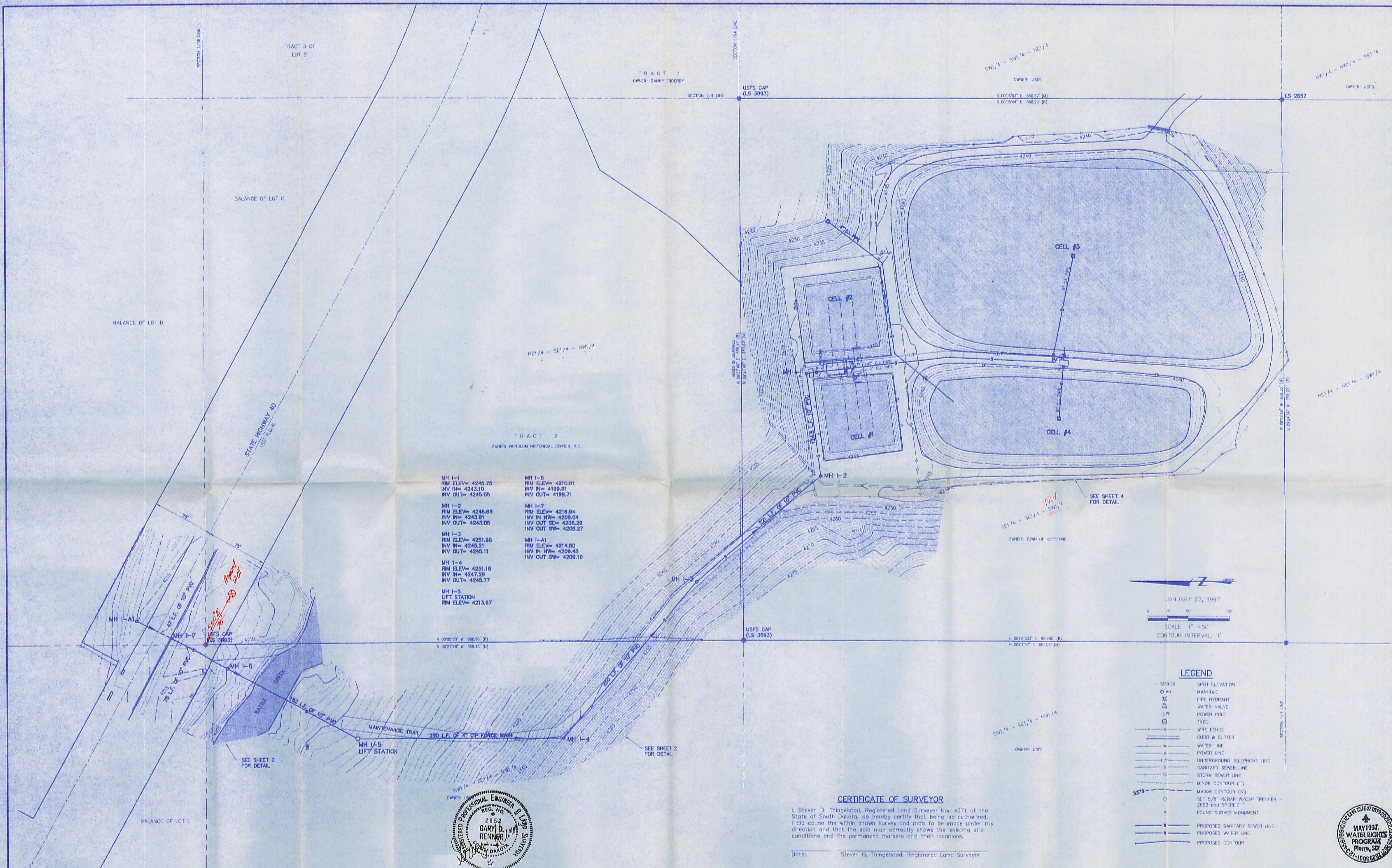
STATE OF SOUTH DAKOTA)

County of Pennington SS

I, Diane Barrett, 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.

Subscribed and sworn to before me this 14<sup>th</sup> day of July 19 97

Signed Diane Barrett  
Anne M. Oates  
Notary Public



**Renner & Sperlich Engineering Co.**  
616 SIXTH ST. • RAPID CITY, SD 57701 • 605/342-1191

| REVISIONS |                 |
|-----------|-----------------|
| DATE      | REVISION        |
| 8-10-97   | Additional topo |
|           |                 |
|           |                 |
|           |                 |
|           |                 |

PROJECT: **COMPOSITE TOPOGRAPHIC MAP**  
KEYSTONE SEWER LAGOON FACILITY  
KEYSTONE, PENNINGTON COUNTY, SOUTH DAKOTA

|              |       |
|--------------|-------|
| SURVEYOR:    | R & S |
| SURVEY DATE: | 1997  |
| DRAWN BY:    | DMM   |
| DESIGNED:    | SOT   |
| APPROVED:    | GDR   |
| JOB NO.:     | 1234  |

| SHEET |
|-------|
| 1     |
| OF    |
| 5     |

PREPARED FOR:  
**CITY OF KEYSTONE**  
P.O. BOX 689  
KEYSTONE, SD 57751

LOCATION:  
KEYSTONE SEWER LAGOON  
LOCATED IN THE NW1/4 OF  
SECTION 10, T2S, R6E, BHM  
KEYSTONE, PENNINGTON COUNTY, SOUTH DAKOTA



2386-2

# Supplemental Information

(type or print in ink)



## 1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6" Depth 100' - 200'  
b) Casing Type Steel Diameter 6" Thickness 1/4"  
c) Screen Type NA Diameter \_\_\_\_\_ Thickness \_\_\_\_\_  
d) Gravel Pack Thickness NA Length of Gravel Pack \_\_\_\_\_  
e) Depth to Top of Water Bearing Material NA  
f) Depth to Water (ground surface to water level) 12'  
g) Distance to nearest existing domestic well:  
On applicants property NA On property owned by others 400' to Alexander Well

## 2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Public  
b) System Capacity (gallons) \_\_\_\_\_ c) Year Constructed \_\_\_\_\_  
d) Connected to the City of Keystone Sanitary System.

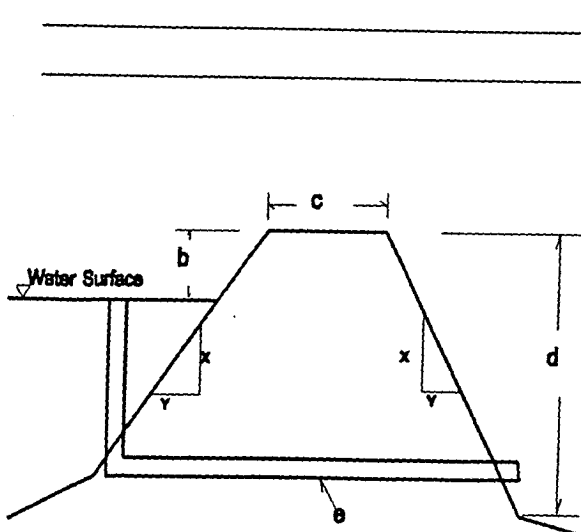
## 3. Dugout Information

- 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

## Division of Water Rights

415356

### South Dakota Department of Environment and Natural Resources

Pierre, \_\_\_\_\_ May 16, 19 97

RECEIVED OF Renner & Sperlich Engineering Co. (Town of Keystone), 616 6th St., Rapid City,  
the following amount in fees for services rendered as provided for by law: SD 57701

|                                                                                                                              |       |       |
|------------------------------------------------------------------------------------------------------------------------------|-------|-------|
| Fee for Application for Permit No. <u>2386-2</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 Hatcher  
Chief Engineer

66-4428

Sign - State Copy - Return to Alex Dalg

## SOUTH DAKOTA WATER WELL COMPLETION REPORT

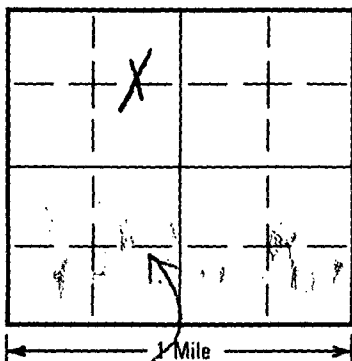
07-92

Location NE 1/4 NW 1/4 Sec 10 Twp 25. Rg 6E  
County Penn

Please mark well location with an "X"

New well at  
Harney, New  
Sewer Plant  
Well Completion Date

9-16-98



## LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 100+ ft. from Treatment Bldg (identify source).

## PROPOSED USE:

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

## METHOD OF DRILLING:

Rotary Downhole Hammer

## CASING DATA:

☒ Steel ☐ Plastic ☐ OtherIf other describe 40' 1250 wall casing

| PIPEWEIGHT         | DIAMETER        | FROM         | TO            | HOLE DIAMETER |
|--------------------|-----------------|--------------|---------------|---------------|
| LB/FT <u>6</u>     | IN <u>6</u>     | FT <u>0</u>  | FT <u>40</u>  | IN <u>8</u>   |
| LB/FT <u>4 1/2</u> | IN <u>4 1/2</u> | FT <u>39</u> | FT <u>124</u> | IN <u>6</u>   |
| LB/FT              | IN              | FT           | FT            | IN            |

## GROUTING DATA

| Grout Type    | No. of Sacks | Grout Weight         | From         | To            |
|---------------|--------------|----------------------|--------------|---------------|
| <u>Port-H</u> | <u>5</u>     | <u>14-15</u> lb./gal | <u>0</u> ft. | <u>38</u> ft. |
|               |              | lb./gal              | ft.          | ft.           |

Describe grouting procedure Facile PipeSCREEN: ☒ Perforated pipe ☐ Manufactured NONE

Diameter \_\_\_\_\_ IN Length \_\_\_\_\_ FEET

Material \_\_\_\_\_

Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet to \_\_\_\_\_ Feet

Other information open HoleCasing Set Hd BackWAS A PACKER OR SEAL USED? ☐ YES ☒ NOIf so, what material? Casing Set Hd. Rock

Describe packer(s) and location?

DISINFECTION: Was well disinfected upon completion?

☒ YES, How:Chlorine solution

\_\_\_\_ NO, Why Not?

Laboratory sent to for water quality analysis

Well Owner: Keystone CityBusiness Name: P.O. Box 689Address: Keystone, S.D. 57751

## WELL LOG:

## DEPTH

| FORMATION             | FROM | TO  |
|-----------------------|------|-----|
| Drift                 | 0    | 15  |
| GRAVEL                | 15   | 20  |
| Drift                 | 20   | 35  |
| Schist Broken         | 35   | 37  |
| Schist Hd. Black      | 37   | 45  |
| Schist FRACTURED      | 45   | 48  |
| Schist Hd. Black      | 48   | 89  |
| Schist FRACTURE 50gpm | 87   | 92  |
| Schist Hd. Black      | 92   | 125 |

STATIC WATER LEVEL 15'± Feet

If flowing: closed in pressure \_\_\_\_\_ PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other \_\_\_\_\_

Reduced Flowrate \_\_\_\_\_ GPM

Can well be completely shut in? \_\_\_\_\_

## WELL TEST DATA:

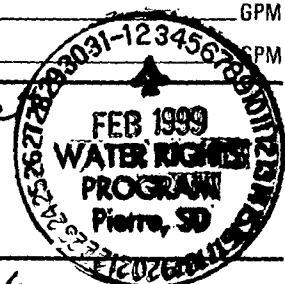
☒ Pumped w/AIR Describe: 50+ gpm.☐ Bailedpump - 40 gpm.☐ Other \_\_\_\_\_

Pumping Level Below Land Surface

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate \_\_\_\_\_ GPM

REMARKS Installed "liner"This well was drilled under license # 324

And this report is true and accurate.

Drilling firm Alexander Drilling Inc.

Signature of License Representative:

Ray Alexander

Signature of Well Owner or Equitable Property Holder:

Tom MullayDate: 11-13-98

2-2-99

REPORT ON PERMIT APPLICATION No. 2386-2  
TOWN OF KEYSTONE  
JUNE 9, 1997

Water Right Application No. 1648-2 proposes to appropriate 0.10 cubic feet of water per second (45 gallons per minute) from one well 100-200 feet deep located in the SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 10, T2S-R6E. The water is for municipal use at the wastewater treatment facility.

**AQUIFER:** Crystalline Rock (CRSL)

**GEOLOGY AND AQUIFER CHARACTERISTICS:**

The water source for this application is the Precambrian aged which outcrops throughout this area. This Precambrian rock is a crystalline rock consists primarily of metagraywacke and quartz-mica schist or phyllite (Redden, 1975). Although this rock type is distinguished by low porosity and permeability, groundwater is derived from thin bedding planes, joints, and fractures within the rock. The distribution, orientation and interconnection of these zones of secondary porosity and permeability are unpredictable, and the aquifer characteristics are site specific and highly variable.

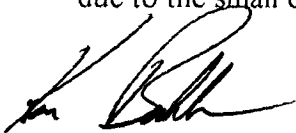
Although faults, intrusives, the orientation of the beds, and lithologic changes within the beds all may serve as local aquitards, the crystalline rock can be considered a single hydrologic unit. The aquifer is under unconfined conditions with the water table expected to be approximately the level of Battle Creek in this area. The amount of recoverable water in storage in this aquifer has not been quantified. Considering the number of wells that are supplied from this aquifer, the crystalline rock is obviously a viable aquifer with water available for appropriation. The Water Rights Program monitors an observation well completed into the crystalline rock in the City of Custer. The observation well shows the crystalline rock responds well to climatic conditions, that is the water levels rise during wet years and gradually decline during dry years. The water levels are expected to behave similarly in this area. Recharge to the crystalline rock in this area occurs through direct infiltration of precipitation via fractures and fissures, and possibly through streamflow from Battle Creek. There are no recharge estimates available for the crystalline rock in this area.

**Effects on Existing Water Rights:**

The Water Rights Program has record of a number of domestic wells completed into the crystalline rock in this area. Although most of these wells are "adequate" by definition (ARSD 74:02:04:20(6)), many are very low yield wells that at times are incapable of delivering sufficient water for the owner's needs because of limited water system storage. These users will continue to experience water problems regardless of the other uses in the area. A well has been constructed 400 feet from this proposed well to be used for a commercial use by Derek Alexander. At their October 26, 1994 meeting, the Water Management Board deferred an application (#2314-2) for this use for the applicant to provide more details regarding the proposed development. This application remains deferred. There are no existing water permits/rights within one mile of this application which use the Precambrian rock as a water source. It is not likely that this appropriation will have an adverse impact on water rights in the area since the requested diversion rate is relatively low and the distance to existing wells is sufficient to minimize any interference.

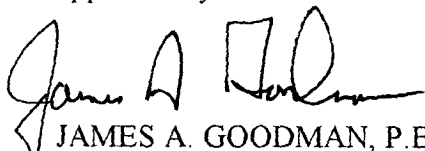
## CONCLUSIONS:

1. The Crystalline Rock is a viable source of groundwater in this area.
2. Recharge to the Crystalline Rock which is through direct infiltration of precipitation and streamflow loss, has not been quantified.
3. There is a reasonable probability that unappropriated groundwater is available from the Crystalline Rock in this area.
4. This proposed appropriation should have no adverse affect on existing water rights/permits due to the small diversion rate requested from the well.



KEN BUHLER  
Natural Resource Engineer

approved by:



JAMES A. GOODMAN, P.E.  
Natural Resources Engineer

## REFERENCES:

- Redden, J.A., 1975, "Precambrian Geology of the Black Hills", Mineral And Water Resources of South Dakota, USGS, US. Government Printing Office Washington, DC
- Water Rights Program, 1995, "Water Permit and Domestic Well Log Files", DENR-Division of Environmental Services -Water Rights Program, Joe Foss Bldg, Pierre, SD.

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 2386-2, Town of Keystone**

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. 2386-2, Town of Keystone, c/o Diane Barrett, President, P.O. Box 689, Keystone, SD 57751.

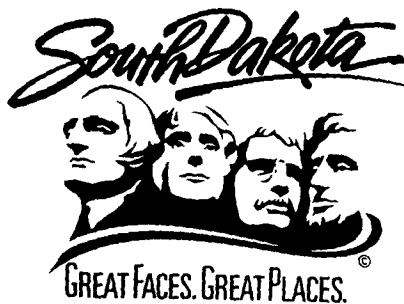
The Chief Engineer is recommending APPROVAL of Application No. 2386-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest 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. 2386-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 pursuant to Section 74:02:04:32

See report on application for additional information.



JOHN HATCH, Chief Engineer  
June 12, 1997



**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.

July 22, 1997

Town of Keystone  
%Diane Barrett, President  
P.O. Box 689  
Keystone, SD 57751

Dear Ms. Barrett:

Water Permit Application No. 2386-2 for municipal use at the wastewater treatment facility 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 Rapid City Journal printed at Rapid City, SD (Ph # (605) 394-8300). 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.

c: Gary Renner, Renner & Sperlich Eng., 616 Sixth St., Rapid City, SD 57701



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

July 22, 1997

Rapid City Journal  
P.O. Box 450  
Rapid City, SD 57709-0450

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2386-2 to be published twice. Please publish the first notice on July 29, 1997, 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 Town of Keystone, %Diane Barrett, President, P.O. Box 689, Keystone, SD 57751 (Ph # (605) 666-4827).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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 Program  
Joe Foss Building  
Pierre SD 57501-3181

No. 2386-2

Date \_\_\_\_\_

We are in receipt of your letter of \_\_\_\_\_ enclosing Notice of Hearing to Appropriate Water by Application No. 2386-2 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 July 29, 1997, with the second publication 7 days later. The applicant is responsible for payment.

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NOTICE OF APPLICATION NO. 2386-2 to Appropriate Water

Notice is given that the Town of Keystone, PO Box 689, Keystone SD 57751 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second (45 gallons per minute) from one well 100-200 feet deep (Crystalline Rock) located in the SE 1/4 NW 1/4 Section 10-T2S-R6E. The water is for municipal use at the wastewater treatment facility.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2386-2 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 September 19, 1997. 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.

The Water Management Board will consider this application at 9:00 a.m., October 1, 1997, Floyd Matthew Training Center, 523 E. Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The October 1, 1997, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by September 19, 1997.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by September 19, 1997, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Form 8

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
 ) SS  
County of Pennington )

I, Patricia K. Van Patten

certify that the attached printed Notice was taken  
from the Rapid City Journal

printed and published in Rapid City

County of Pennington and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

July 29, 1997

August 5, 1997

Cost of Printing Ninety-five dollars  
and twenty cents (\$95.20)

Patricia K. Van Patten  
(Signature)

Legal Advertising Representative  
(Title)

August 5, 1997  
(Date Signed)



July 29, Aug. 5 L5179

### NOTICE OF APPLICATION NO. 2386-2 TO APPROPRIATE WATER

Notice is given that the Town of Keystone, P.O. Box 689, Keystone, SD 57751, has filed an application for a water permit to appropriate 0.10 cubic feet of water per second (45 gallons per minute) from one well 100-200 feet deep (Crystalline Rock) located in the SE1/4NW1/4 Section 10-T2S-R6E. The water is for municipal use at the wastewater treatment facility.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2386-2 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 September 19, 1997. 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.

The Water Management Board will consider this application at 9:00 a.m., October 1, 1997, Floyd Matthew Training Center, 523 E. Capitol, Pierre, S.D. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The October 1, 1997, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by September 19, 1997.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by September 19, 1997, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11; 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Nettie H. Myers  
Secretary  
Department of Environment  
and Natural Resources



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

NOV 12 1997

Town of Keystone  
%Diane Barrett, President  
P.O. Box 689  
Keystone, SD 57751

Dear Ms. Barrett:

Enclosed is Water Permit No. 2386-2 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 may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.

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

Date 10-10-01

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

FROM: Senald Forgey - PWD city of Keystone  
(name)  
Box 689  
(address)  
Keystone S.D. 57751 666-4827  
(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.

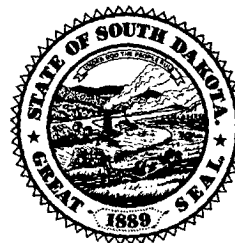
Water Permit No. 2386-2 states that the water use system is to be constructed by  
Oct 1 - 2002 , and water is to be put to beneficial use by Oct 1 - 2006 .  
(date) (date)

The water use system was completed on Sep 16 1998 .  
(date)

Applying the water to beneficial use was completed on Oct 1998 .  
(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  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

December 12, 2001

2386-2 & 1849-2

Town of Keystone  
Jerald Forgey, Public Works Director  
PO Box 689  
Keystone SD 57751

Dear Mr. Forgey:

On October 10, 2001 the investigation of the town's water use system, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 1849-2 and 2386-2, was completed by Ken Buhler, a staff engineer with our program. The 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 each water license. Upon receipt of the \$100.00 fee from the town, we will complete processing the water licenses. The check or money order for the fee should be made payable to the "Water Rights Program".

The 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 permits, investigation of the 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

# RECEIPT

## Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 417029

Pierre, December 21, 20 01

RECEIVED OF Town of Keystone, PO Box 689, Keystone, SD 57751  
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. 2386-2

50 00

Fee for Filing Transfer Form \_\_\_\_\_

Fee for Filing Extension Request \_\_\_\_\_

Fee for \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Any Other Work Provided by Law)

Total

50 00

By

*Darland Erbe*  
Chief Engineer *gm*

**Permit No. 2386-2**  
**Upper Cheyenne River - Water District**

Other permit/license(s) associated with project: 1849-2

Contact Person & Address: Jerald Forgey, Public Works Director, PO Box 689, Keystone, SD 57751

**Report Of Examination Of Works**

On, October 10, 2001, I made a thorough examination of the water use system constructed by The City of Keystone of PO Box 689, Keystone, SD holder of Permit No. 2386-2, bearing the priority of May 16, 1997 authorizing the diversion of 0.10 cu. ft. per second of the waters of groundwater for municipal purposes, in Pennington County.

The system is in the following condition good. The point of diversion is located 1350 feet south and 2000 feet east of the north west corner of Sec. 10, T2S-R6E with a longitude of -103.391813 and a latitude of 43.893626. 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 municipal purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.089 cfs.

**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: Alexander Drilling 2) No. of Wells one
- 3) Depth(s) 125 feet 4) Well log is available yes

**Casing:**

- 1) Diameter 8 inches & 6 inches 2) Length 40 feet & 85 feet respectively
- 3) Type Steel

**Screen:**

- 1) Type none 2) Length 85 feet (liner in open hole)
- 3) Static water level 15 feet

**Pump\ Motor:**

- 1) Pump Make Grundfos 2) Pump Model 40S30-9

# Water Right Map 2386-2

Well for  
2386-2

1350'

2000'

Sec. 10, T2S-R6E



N

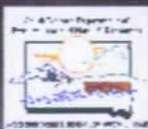
700

0

700

1400 Feet

Ken Buhler  
Natural Resources Engineering Specialist  
SD DENR-Water Rights Program



# STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 2386-2

(1) The Town of Keystone, PO Box 689, Keystone SD 57751 made Application No. 2386-2, May 16, 1997 for a water permit to divert 0.10 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for municipal purposes. Permit No. 2386-2, with a priority date of May 16, 1997 was approved October 1, 1997 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 1, 2002 and for the application to beneficial use of said water on or before October 1, 2006.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on October 10, 2001. The *Notice* stated the diversion system was completed on September 16, 1998 and the water placed to beneficial use on October 1, 1998.

(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 0.089 cubic feet of water per second for beneficial use. The location of the diversion point is 1,350 feet south and 2,000 feet east of the northwest corner of Section 10-T2S-R6E (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.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the Town of Keystone, PO Box 689, Keystone SD 57751 the holder and/or owner of Water Right No. 2386-2 is issued a license to appropriate water, the right to use 0.089 cubic feet of water per second from groundwater (one well) with a priority date of May 16, 1997 from the location specified in (2) of this license municipal purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2386-2 and subject to South Dakota State Law.



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

JAN 15 2002

date





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

JAN 15 2002

1849-2  
2386-2

Town of Keystone  
Jerald Forgey, Public Works Director  
PO Box 689  
Keystone, SD 57751

Dear Mr. Forgey:

Enclosed are Water License Nos. 1849-2 & 2386-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 417029 and 417030 each 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 wells authorized by Water Right Nos. 1849-2 and 2386-2, 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,

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

enclosures