

**WATER PERMIT NO. 2426-2**

Name of Applicant: Pirates Cove Rapid City, Inc.

Address: PO Box 2819, Rapid City SD 57701

Phone: 605 343-8540

Amount of Water Claimed: 30 gpm (0.067 cfs)

Total Acres: 1.45 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Pennington

Type of Waste Disposal System:

Location: within Rapid City

PRIORITY Date Received: 12-9-1991

Fee: \$50.00

Corrected Application Received: 7-20-1999

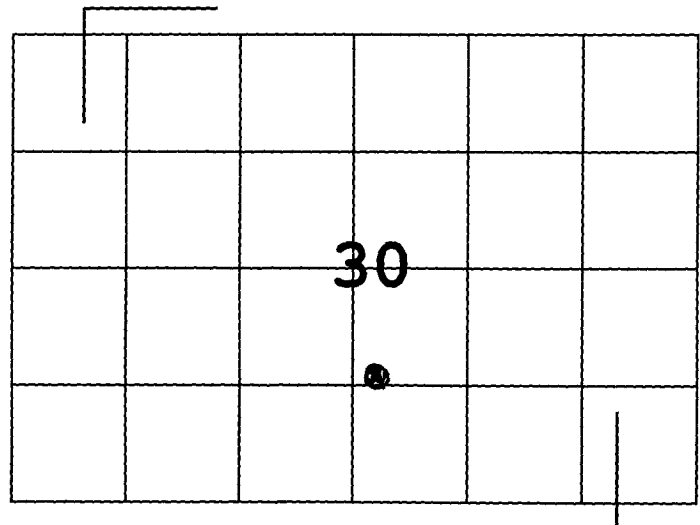
Period of Annual Use: April 1 – September 30

Remarks:

Diversion Point: NW ¼ SE ¼ Sec 30-T2N-R8E

Land to be Irrigated: NW ¼ SE 1/4

Sec 30-T2N-R8E



Depth of Well: 1240 feet

Well Driller: Taylor Drilling Co.

Remarks:

Type of Map: aerial

Prepared by: Ron Duvall

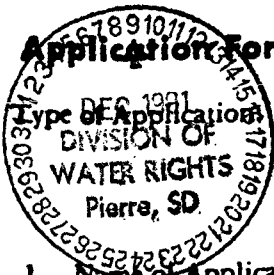
Reviewed and the Number Assigned on: 7-20-1999

By: Karen Schlaak

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

(See instructions)

No. 2426-2 Hydrologic Unit 10/20/10  
Basin Upper Cheyenne  
Newspaper Rapid City Journal, Rapid City, SD



# Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

- ☒ New ☐ Vested Right ☐ Amend Permit No. \_\_\_\_\_  
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)  
☐ Add Acreage ☐ Increase diversion rate ☒ Other Commercial

1. Name of Applicant PIRATES COVE RAPID CITY, INC. Phone No. (605) 343-8540  
By Star Hanson, Mgr. P.O. Box 2819  
Post Office Address 1500 LACROSSE ST. RAPID CITY State SD Zip Code 57709  
(Street, RR or Box) (City)

2. Amount of water claimed (c.f.s.) 30 (G.P.M.) Total acres irrigated 1.45 Acres

3. Source of Water supply NEW WELL

4. Location of point of diversion NW 1/4 SE 1/4 SEC. 30-T2N-RPE

County PENNINGTON

5. Counties where water will be used PENNINGTON

6. Annual period during which water is to be used APRIL 1 TO SEPTEMBER 30

7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

| Land Description            | No. Acres Irr. |
|-----------------------------|----------------|
| <u>SE 1/4 SEC. 30-LOT 4</u> | <u>1.45</u>    |
| <u>NW 1/4 T2N-RPE</u>       |                |
|                             |                |
|                             |                |

| Land Description | No. Acres Irr. |
|------------------|----------------|
|                  |                |
|                  |                |
|                  |                |
|                  |                |

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: \_\_\_\_\_ Towline: \_\_\_\_\_ Center Pivot: \_\_\_\_\_ Gun: Wells Other: ☒ (Specify) \_\_\_\_\_  
9. Crops to be Irrigated: DOMESTIC PLANTS & GRASS SMALL ZONED SYSTEM  
10. Give a description of proposed project. (Attach sheet if more space is needed)

DEVELOPED & MAINTAIN HIGHWAY LANDSCAPED MINATURE GOLF COURSE  
IN RAPID CITY. WELL IS USED TO MAINTAIN WATER LEVEL IN REFLECTING  
POOL, ON SITE, FROM WHICH THE IRRIGATION IS DRAWING FROM. IRRIGATION  
DRAWS FROM POOL, AND THE REPLACES USED WATER WITH FRESH WELL  
WATER. WELL PUMP RUNS 30 G.P.M FOR AN AVE. 4 TO 5 HRS./DAY WHEN USED.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)  
County of \_\_\_\_\_)

I, William F. Sieb, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed William F. Sieb

Subscribed and sworn to before me this 5th day of December 19 91

Carole M. Donaghy

Notary Public

Carole M. Donaghy, Midland county, Michigan

**SOUTH DAKOTA  
WATER PERMIT NO. 2426-2**

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Date of first receipt of application December 9, 1991.

Date of return to applicant for corrections, amendments or changes December 9, 1991.

Date of receipt of corrected application July 12, 1999.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2426-2 to Pirates Cove Rapid City, Inc., c/o Stan Hanson, Mgr. PO Box 2819, Rapid City SD 57709 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. 2426-2 appropriates 0.067 cubic feet of water per second (30 gallons per minute) from one well (Inyan Kara Formation) 1240 feet deep located in the NW ¼ SE ¼ Section 30 T2N-R8E. Water is used for commercial purposes to maintain the water levels in the ponds and to irrigate 1.45 acres located in the NW ¼ SE ¼ Section 30 T2N-R8E.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - September 30.
3. The date from which applicant may claim right is July 12, 1999.
4. The date of approval of Permit No. 2426-2 is August 27, 1999.
5. 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: John Hatch  
John Hatch, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

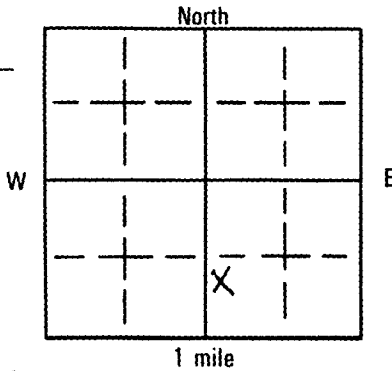
**SEP 7 1999**

date



## SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SW 1/4 SE 1/4 Sec 30 Twp 2 N Rg 8 ECounty  
PENNINGTONPlease mark well  
location with  
an "X"Well Completion Date 6/26/91

## PROPOSED USE:

- ☐ Domestic ☐ Municipal ☐ Test Holes  
☒ Irrigation ☐ Industrial ☐ Stock

## Method of Drilling:

Air Rotary

## CASING DATA:

- ☒ Steel ☐ Plastic ☐ Other

If other describe \_\_\_\_\_

| PIPEWEIGHT        | DIAMETER        | FROM        | TO             | HOLE DIAMETER   |
|-------------------|-----------------|-------------|----------------|-----------------|
| <u>15.5 LB/FT</u> | <u>5 1/2 IN</u> | <u>0 FT</u> | <u>1210 FT</u> | <u>6 3/4 IN</u> |
| _____ LB/FT       | _____ IN        | _____ FT    | _____ FT       | _____ IN        |
| _____ LB/FT       | _____ IN        | _____ FT    | _____ FT       | _____ IN        |
| _____ LB/FT       | _____ IN        | _____ FT    | _____ FT       | _____ IN        |

## GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 1210 FEETWhat is grouting material? CementIf cement, number of sacks? 120Describe grouting procedure pressure  
grouted through casingWhat was grout weight? 15 LB/GALSCREEN: ☐ Perforated pipe ☐ Manufactured

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

Material \_\_\_\_\_

Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet To \_\_\_\_\_ Feet

Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet To \_\_\_\_\_ Feet

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? \_\_\_\_\_

Was well disinfected upon completion? ☒ YES ☐ NOExplain Chlorine solution circulated in  
wellBacteriological analysis ☒ YES ☐ NOLaboratory sent to Twin City, Testing

Well Owner:

Name \_\_\_\_\_

Address \_\_\_\_\_

Well Log:

Depth

Formation

From

To

|                                  |             |             |
|----------------------------------|-------------|-------------|
| <u>Clay</u>                      | <u>0</u>    | <u>2</u>    |
| <u>Gray &amp; black Shale</u>    | <u>2</u>    | <u>140</u>  |
| <u>black Shale</u>               | <u>140</u>  | <u>900</u>  |
| <u>light brown siltstone</u>     | <u>900</u>  | <u>920</u>  |
| <u>fine to med gr SS</u>         | <u>920</u>  | <u>940</u>  |
| <u>black to gray shale</u>       | <u>940</u>  | <u>1185</u> |
| <u>w/ some siltstone layers</u>  |             |             |
| <u>hard siltstone light gray</u> | <u>1185</u> | <u>1205</u> |
| <u>Coarse light gray SS</u>      | <u>1205</u> | <u>1235</u> |
| <u>fine gr light gray SS</u>     | <u>1235</u> | <u>1240</u> |

STATIC WATER LEVEL 308 Feet

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

GPM flow \_\_\_\_\_ through \_\_\_\_\_ inch pip.

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify \_\_\_\_\_

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

## WELL TEST DATA:

☒ Pumped☐ Bailed

Describe: \_\_\_\_\_

☐ Other

Pumping Level Below Land Surface

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPA

410 ft. After 1/2 Hrs. pumped 30 GPA

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPA

## REMARKS:

This well was drilled under license # 331

And this report is true and accurate.

Drilling firm Taylor Drilling Company

Signature of License Representative: \_\_\_\_\_

Signature of Well Owner:

William F. SiedDate 10/5/91

Well location for Pirates Cove by: [unclear]



*South Dakota*



GREAT FACES. GREAT PLACES.  
August 28, 1991

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

PIRATE'S COVE  
WILLIAM SIEH  
1500 LACROSSE ST.  
RAPID CITY SD 57701

Dear MR. SIEH:

A well drillers report filed by TAYLOR DRILLING states you recently completed a new well. This letter outlines your responsibilities as a new well owner.

1. If your new well was drilled as a replacement well, and you do not plan to use the old well, the old well is considered abandoned. All abandoned wells must be plugged by a licenced well driller. If the old well is not abandoned, but not being used, the well must be sealed or capped at the surface until such time that it is used.
2. Following completion of any new well for domestic use, a water quality sample must be collected and submitted to a laboratory approved by the department. If the well flows or if the well driller installs the pump, the well driller is required to collect and submit the water quality sample. If the pump is not installed by the well driller, the owner must collect and submit the water sample. At a minimum, the water sample needs to be analyzed for the presence of nitrates, sulfates, sodium, coliform bacteria, and for conductivity. Further water analysis may be done, but is optional. The analysis must be submitted to the department within 30 days following the submittal of a well completion report. The owner or well driller pays for the cost of all analyses.
3. The output from any flowing well must be controlled by the owner so as to produce only the amount of water needed and to prevent waste.
4. A water permit must be obtained for any water use except for reasonable, private domestic use. Reasonable use is defined as use of 18 or less gallons of water per minute (GPM), on an average daily basis (26,000 gallons per day), with a maximum rate not exceeding 25 GPM. Water distribution systems (i.e. suburban housing, manufactured and mobile home developments; rural water systems; municipalities; etc.) may not exceed 18 GPM without a water permit. You may need a water permit based on the well driller's report. Please complete and return the enclosed application forms, with the required fee, to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by October 1, 1991, or contact Don Frye (605 773-3352) if you don't believe your water use requires a permit.

Very truly yours,

RON DUVALL, Natural Resources Engineer  
for JOHN HATCH, Chief Engineer  
Water Rights Division



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

December 9, 1991

Pirates Cove Rapid City, Inc.  
William F. Sieh  
1500 Lacrosse St  
Rapid City SD 57701

Dear Mr. Sieh:

In regard to the water permit application received on December 9, 1991, the following information needs to be submitted in order to process the application.

1. Complete the enclosed Form 2A.
2. A map outlining the lands to be irrigated and showing the location of the diversion point (place where the well is located) in relation to a government section corner or quarter corner by direction and distance. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).
3. A soils map is required of the land to be irrigated in order to proceed with the Soil/Water Compatibility permit.
4. The application filing fee will be \$50.00.

The water permit application can not be considered until the application is complete and a soil/water permit is obtained from the Department of Agriculture. Upon receipt of the above, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak  
Natural Resources Analyst  
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

February 28, 1992

Pirates Cove Rapid City, Inc.  
William F. Sieh  
1500 Lacrosse St  
Rapid City SD 57701

Dear Mr. Sieh:

On December 9, 1991, you submitted an application (copy enclosed) for a permit to appropriate water for Pirates Cove. You were notified on December 9, 1992 (copy enclosed) that the application was incomplete and were instructed what additional information was necessary in order to complete the application. To date, we have not received a response from you.

Obtaining a water permit ultimately benefits you by protecting your right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak  
Natural Resources Analyst  
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

June 21, 1993

Pirates Cove Rapid City, Inc.  
William F. Sieh  
1500 Lacrosse St  
Rapid City SD 57701

Dear Mr. Sieh:

On December 9, 1991, you submitted an application (copy enclosed) for a permit to appropriate water for commercial use. You were notified on December 9, 1991 and February 28, 1992 (copies enclosed) that the application was incomplete and were instructed what additional information was necessary in order to complete the application. To date, we have not received a response from you.

You should be aware that use of water for commercial purposes without a permit, is a violation of SDCL 46-1-15, 46-5-9, 46-5-10 and 46-2-18. If you have any questions regarding what is needed to complete this application, please contact this office.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Natural Resources Analyst  
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

August 11, 1995

Pirates Cove Adventure Golf  
PO Box 2819  
1500 LaCrosse St.  
Rapid City SD 57709-2819

Dear Sir:

On December 9, 1991, William F. Sieh on behalf of Pirates Cove filed an incomplete Application for Permit to Appropriate Water (copy enclosed). The application is still incomplete. State Statutes require a water permit for commercial use of water from a private water source. Does a private well still supply your commercial use? If so, the following describes how the application can be made to comply with state statutes.

Please complete the enclosed Form 2A. A map showing the area irrigated and the location of the well in relation to a government section corner or quarter corner by direction and distance, is also required. The map will need the signature of one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties. The filing fee for this application is \$50.00. You should be aware that Pirates Cove will be responsible for payment of the required public notice in the Rapid City Journal.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, Pirates Cove is required to have a water permit to use water for commercial purposes.

If you have any questions, please contact me or Eric Gronlund.

Sincerely,

Karen Schlaak  
Environmental Scientist  
(605) 773-3352

enclosure



March 25, 1999

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

*called 6/21/99*

*Starr Hansen, Rep.*

*343-8540*

Pirates Cove Adventure Golf  
1500 LaCrosse St.  
Rapid City SD 57709

Dear Sir:

Several years ago an *Application for Permit to Appropriate Water Within the State of South Dakota* was submitted for Pirates Cove Adventure Golf (copy enclosed). Several letters have been written regarding the completion of the application. Does a private well still supply water for irrigation as stated on the application? If so, the following is required to complete the application:

- A map (or aerial photo) showing the area irrigated and the location of the well in relation to a government section corner or quarter corner by direction and distance. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).
- The application filing fee is \$50. In addition to the application filing fee, the Water Rights Program now collects the \$50 licensing fee at the time of filing (total \$100).

Obtaining a water permit that accurately reflects water use benefits the Pirates Cove Adventure Golf by protecting it's right to use water.

If you have any questions, please contact me.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Water Rights Program  
Phone: (605) 773-3352

enclosure

REPORT ON WATER PERMIT APPLICATION NO. 2426-2  
for Pirates Cove Rapid City, Inc.  
July 22, 1999

Application No. 2426-2 proposes to appropriate 0.067 cfs (30 gpm) from one well approximately 1240 feet deep located in the NW 1/4 SE 1/4 of Section 30, T2N-R8E. The water is used for commercial purposes to maintain the water levels in the ponds and to irrigate 1.45 acres located in the NW 1/4 SE 1/4 of Section 30, T2N-R8E in Pennington County.

**AQUIFER - INYAN KARA (INKR)**

The Inyan Kara consists of the Fall River and Lakota Formations and outcrops about two miles west of the site of this application. In this area the thickness of the Fall River is about 125 feet and the thickness of the Lakota is about 225 feet (Cattermole, 1972). Ground water movement is from west to east with a gradient of about 30 feet per mile (Peter, 1985). The aquifer underlies 1.245 million acres and contains an estimated 23.35 million acre feet of recoverable water in storage in Pennington County alone (Allen, 1984). The aquifer is hydraulically connected into Meade County to the north, Custer County to the south and also extends eastward into most of western South Dakota.

The well log filed with this application indicates the top of the Inyan Kara was encountered at a depth of about 1185 feet below land surface and the total well depth was 1240 feet. The aquifer is described as coarse to fine light gray sandstone. The completed well had a static water level of 308 feet below land surface and was capable of producing 30 gpm at a pumping level of 410 feet. The well is completed in accordance with SD Well Construction Standards.

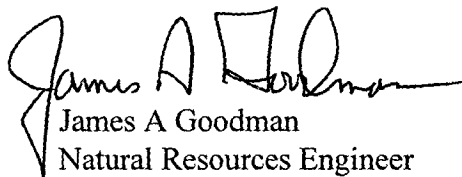
The Water Rights Program does monitor an observation well, PE-95E, which is located about two miles north of this application and completed into the Inyan Kara aquifer. Water levels for this well do not fluctuate significantly. The period of record for this observation well is not long enough to illustrate trends. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1999). A hydrograph of this observation well is included with this report.

**REVIEW OF EXISTING WATER PERMITS/RIGHTS**

There are two existing water permits/rights located within a one mile radius of this application. Interference is not a concern. Drawdown created by pumping should not be significant and should not adversely affect these other water users. Water is used seasonally at this facility for irrigation and for a pond and other aesthetics.

## CONCLUSIONS

1. Water is available from the Inyan Kara aquifer.
2. The aquifer is confined and under artesian conditions. Drawdown will occur as a result of pumping. This is not expected to adversely affect existing users. This is an existing system and has been used for many years with no apparent problems.
3. The well as constructed is completed in accordance with SD Well Construction Standards.
4. The diversion rate requested by this application exceeds the allowable diversion rate based upon irrigated acres. However, because of the design of the system and the intermittent pumping rate from the well this request is reasonable.

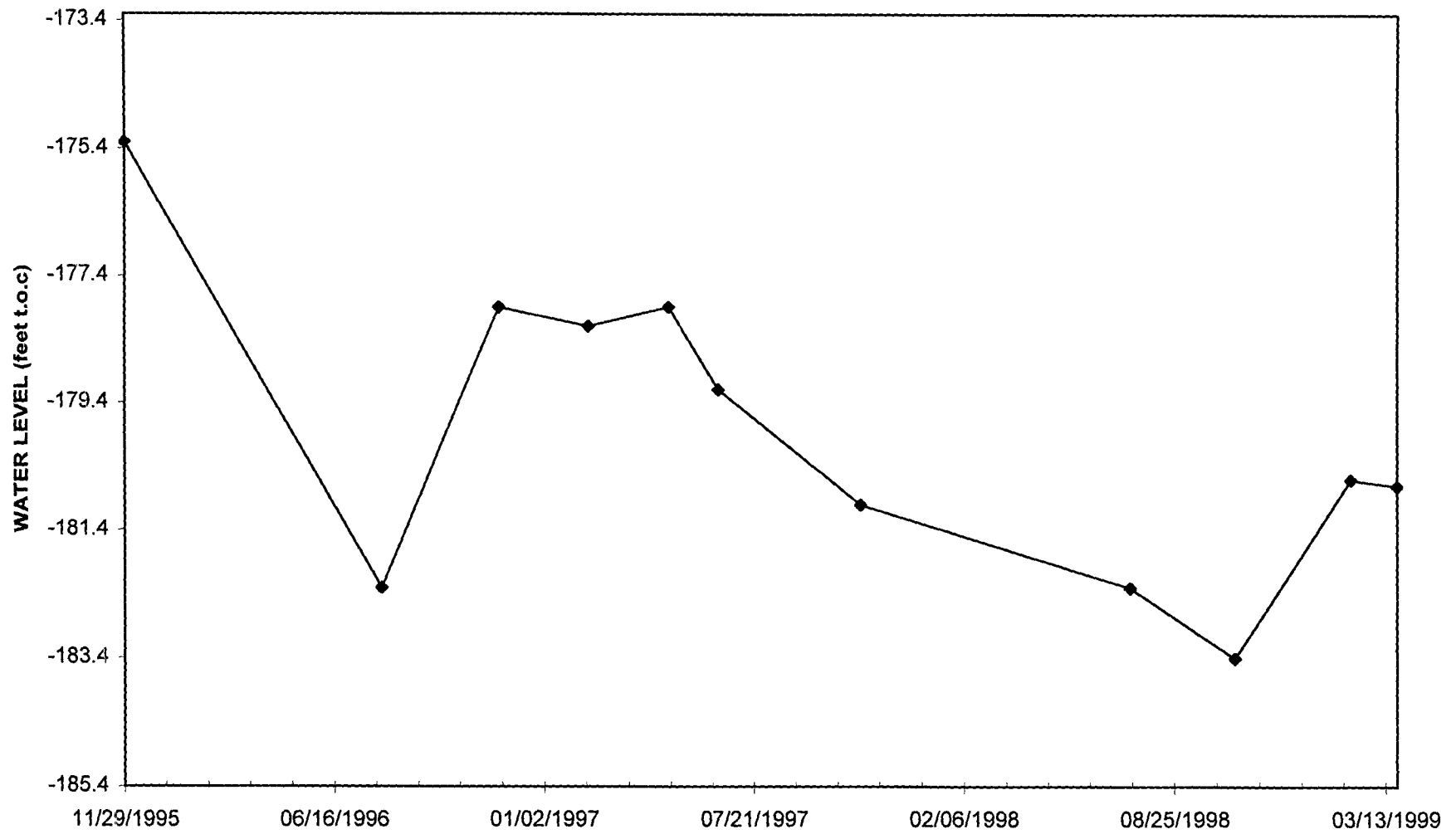


James A Goodman  
Natural Resources Engineer

## BIBLIOGRAPHY

- Allen, J.C., D.L. Iles, A.K. Petres, 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Cattermole, J.M., 1972, Geologic Map of the Rapid City east quadrangle, Pennington County, South Dakota, USGS Geologic Quadrangle Map GQ-828, scale 1:24000.
- Peter, K.D., 1985, Availability and Quality of Water From the Bedrock Aquifers in the Rapid City Area, South Dakota, Water Resources Investigations Report 85-4022, USGS, Rapid City, SD, 57701.
- Water Rights, 1999, Unpublished Observation Well Data for the Black Hills Area, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL  
PE-95E**



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 2426-2, Pirates Cove**

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. 2426-2, Pirates Cove Rapid City, Inc., c/o Stan Hanson, Manager, P.O. Box 2819, Rapid City SD 57709.

The Chief Engineer is recommending APPROVAL of Application No. 2426-2 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) it is in the public interest with 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.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", written in a cursive style.

JOHN HATCH, Chief Engineer  
July 29, 1999



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

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

August 5, 1999

Pirate's Cove Rapid City, Inc.  
%Stan Hanson  
P.O. Box 2819  
Rapid City, SD 57709

Dear Mr. Hanson:

Water Permit Application No. 2426-2 for irrigation 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 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.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
www.state.sd.us/denr

August 3, 1999

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

ATTENTION: Legal Public Notice

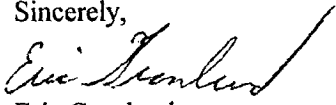
Enclosed is a Notice of Hearing on Application No. 2426-2 to Appropriate Water to be published twice. Please publish the first notice on August 10, 1999, with the second publication 7 days later.

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 Pirate's Cove Rapid City, Inc., %Stan Hanson, P.O. Box 2819, Rapid City, SD 57709 (Ph # (605) 343-8540).

**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

-----CU T HERE-----

No. 2426-2

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

Date \_\_\_\_\_

We are in receipt of your letter of August 3, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 2426-2 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 August 10, 1999, with the second publication 7 days later. The applicant is responsible for payment.

---

NOTICE OF APPLICATION NO. 2426-2 to Appropriate Water

Notice is given that Pirate's Cove Rapid City, Inc., c/o Stan Hanson, PO Box 2819, Rapid City SD 57709 has filed an application for a water permit to appropriate 0.067 cubic feet of water per second (30 gallons per minute) from one well (Inyan Kara Formation) 1240 feet deep located in the NW ¼ SE ¼ Section 30 T2N-R8E. Water is used for commercial purposes to maintain the water levels in the ponds and to irrigate 1.45 acres located in the NW ¼ SE ¼ Section 30 T2N-R8E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends Approval of Application No. 2426-2 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 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 August 27, 1999.

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



# **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:

August 10, 1994

August 17, 1994

Cost of Printing Seventy-six dollars

and no cents (\$76.00)

Patricia K. Van Patten  
 (Signature)

Legal Advertising Representative  
 (Title)

August 17, 1999  
 (Date Signed)

Aug. 10, 17 L463294  
**NOTICE OF APPLICATION**  
**NO. 2426-2**

## **TO APPROPRIATE WATER**

Notice is given that Pirate's Cove Rapid City, Inc. c/o Stan Hanson, P.O. Box 2819, Rapid City, SD 57709, has filed an application for a water permit to appropriate 0.067 cubic feet of water per second (30 gallons per minute) from one well (Inyan Kara Formation) 1240 feet deep located in the NW¼ SE¼ Section 30 T2N-R8E. Water is used for commercial purposes to maintain the water levels in the ponds and to irrigate 1.45 acres located in the NW¼ SE¼ Section 30 T2N-R8E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends Approval of Application No. 2426-2 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.

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Nettie H. Myers  
 Secretary  
 Department of Environment  
 and Natural Resources

**Permit No. 2426-2**  
**Upper Cheyenne - 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, July 12, 1999, made a thorough examination of the water use system constructed by Pirates Cove Rapid City, Inc. of PO Box 2819, Rapid City SD 57709 holder of Permit No. 2426-2, bearing the priority of July 12, 1999 authorizing the diversion of 0.067 cu. ft. per second of the waters of ground water (Inyan Kara Formation) for commercial irrigation purposes, in Pennington County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

**Motor:**

- 1) Make Franklin
- 2) Horsepower rating 5 hp

**Pump:**

- 1) Make Grundfos
- 2) Capacity 25-30 GPM

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

**Water is distributed to a small pond and then used for lawn watering and landscaping on miniature golf course.**

The system is in the following condition good. The point of diversion is located Well: 2,400 feet W and 1,380 feet N from SE corner sec 30-T2N-R8E (NW¼SE¼). The works are capable of diverting and conveying to the place of use 0.067 cu. ft. per second of water which is to be used for commercial irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

NW¼SE¼ section 30-T2N-R8E      1.45 acres

comprising a total of 1.45 acres of land and the license should be issued for 0.067 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: none      Date report completed: August 30, 1999



Ron Duvall  
Natural Resources Engineer  
DENR, Water Rights Program

## FIELD INVESTIGATION REPORT FOR PERMIT NO. 2426-2

|                                                                                          |                                                                                                              |
|------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| DATE OF INVESTIGATION                                                                    | July 12, 1999                                                                                                |
| NAME & ADDRESS OF INVESTIGATION CONTACT/<br>RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE | Stan Hanson, Manager                                                                                         |
| NAME & ADDRESS OF PERMIT HOLDER                                                          | Pirates Cove<br>PO Box 2819<br>Rapid City SD 57709                                                           |
| DIVERSION POINT LEGAL LOCATION                                                           | Well: 2,400 feet W and 1,380 feet N<br>from SE corner sec 30-T2N-R8E<br>(NW $\frac{1}{4}$ SE $\frac{1}{4}$ ) |

Other permit(s) associated with the project: none

### WELL INFORMATION:

- 1) Well Drilling Firm: Taylor Drilling
- 2) No. of Wells 1
- 3) Depth(s) 1,240 feet
- 4) Well log is available Y

#### Casing:

- 1) Diameter 5.5 inches
- 2) Length 1,210 feet
- 3) Type Steel

#### Screen:

- 1) Type none
- 2) Static water level 308 feet

#### Pump:

- 1) Make Grundfos
- 2) Capacity 25-30 GPM

#### Motor:

- 1) Make Franklin
- 2) Horsepower rating 5 hp

### DISTRIBUTION LINES OR CANALS:

Water is distributed to a small pond and then used for lawn watering and landscaping on miniature golf course.

### PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y

# STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 2426-2

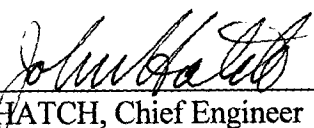
(1) Pirates Cove Rapid City, Inc., PO Box 2819, Rapid City SD 57709 made Application No. 2426-2, December 9, 1991 for a water permit to divert 0.067 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for commercial and irrigation purposes. Permit No. 2426-2, with a priority date of July 12, 1999 was approved August 27, 1999 and issued to the applicant for diversion of water with construction of the described water supply system completed and application to beneficial use of said water completed.

(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 0.067 cubic feet of water per second for beneficial use. The location of the diversion point is 2,400 feet west and 1,380 feet north from the southeast corner Section 30-T2N-R8E (NW ¼ SE ¼).

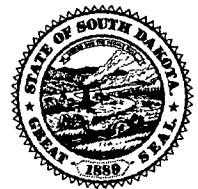
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

**NW ¼ SE ¼ Section 30-T2N-R8E                      1.45 acres**

(4) Pursuant to South Dakota Water Law 46-5-30.1 Pirates Cove Rapid City, Inc., PO Box 2819, Rapid City SD 57709 the holder and/or owner of Water Right No. 2426-2 is issued a license to appropriate water, the right to use 0.067 cubic feet of water per second from groundwater (one well) with a priority date of July 12, 1999 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for commercial and irrigation purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2426-2 and subject to South Dakota State Law.

  
\_\_\_\_\_  
JOHN HATCH, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

SEP 7 1999  
\_\_\_\_\_  
date





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

SEP 7 1999

2426-2

Prates Cove Rapid City, Inc.  
%Stan Hanson, Manager  
P.O. Box 2819  
Rapid City, SD 57709

Dear Mr. Hanson:

Enclosed are Water Permit and Water License No. 2426-2. This is the final water right document completing your process of obtaining a Water Right.

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. 2426-2, 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.

Very truly yours,

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

ks  
enclosures



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 E. CAPITOL AVE  
PIERRE SD 57501-3182  
danr.sd.gov

June 5, 2026

2426-2

Pirates Cove Rapid City  
C/O Stan Hanson (Mgr)  
PO Box 2819  
Rapid City, SD 57709

Dear Mr. Hanson:

I am writing in regard to your Water Right No. 2426-2. The water right authorizes the diversion of 0.067 cfs (approx. 30 gpm), from one well, (Inyan Kara Formation), for the irrigation of 1.45 acres in the NW 1/4 SE 1/4 Section 30-T2N-R8E.

In reviewing your 2025 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

Water Right No. 2426-2 allows you to use up to 2 acre-feet (ac-ft) (24 inches) of water per acre, per year. On the questionnaire you reported more water use. The following information is what was reported and what is authorized:

- 1.5 acres reported irrigated
- Reported water use – 5.83 acre-feet of water (approximately 46.67 inches)
- Authorized water use – 3 acre-feet of water (1.5 acres x 2 ac-ft per year = 24 inches per acre)

We realize that water use depends greatly on climactic conditions and may vary year to year. However, it is very rare that irrigators come close to the 24 inches per acre that is authorized. Typical water use is between 8 and 12 inches per acre. Often, irrigators do not keep track of their days or hours actually pumped and estimate numbers for the questionnaires in an effort to get them completed and back in on time. While we appreciate returning the forms in a timely manner each year, we need the forms to reflect accurate information to ensure everyone is limiting their use to the amount of water appropriated to them.

The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

If you do in fact apply as much water as claimed on your questionnaire, you are exceeding the limits of your water right and will have to reduce your discharge to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me.

Sincerely,

Shannon Konst  
Water Rights Program  
605 773-3352  
Shannon.konst@state.sd.us