

WATER PERMIT NO. 2460-2

Name of Applicant: Kenneth D Knapp

Address: 13883 Clydesdale Road, Rapid City SD 57702

Phone: 605 348-8768

Amount of Water Claimed: 0.044 cfs

Total Acres: NA

Source of Water Supply: groundwater (2 wells)

Water to be used for: commercial use

County: Pennington

Type of Waste Disposal System: septic tank

Location: ½ north of Keystone

PRIORITY Date Received: 4-23-2001

Fee: \$50

Corrected Application Received: 4-23-2001

Period of Annual Use: April 1 – November 1

Remarks:

Diversion Point: E ½ SE ¼ Sec 31-T1S-R6E

Land to be Irrigated: NA

Depth of Well: 230' & 349'

Well Driller: : Hamm Drilling

Remarks:

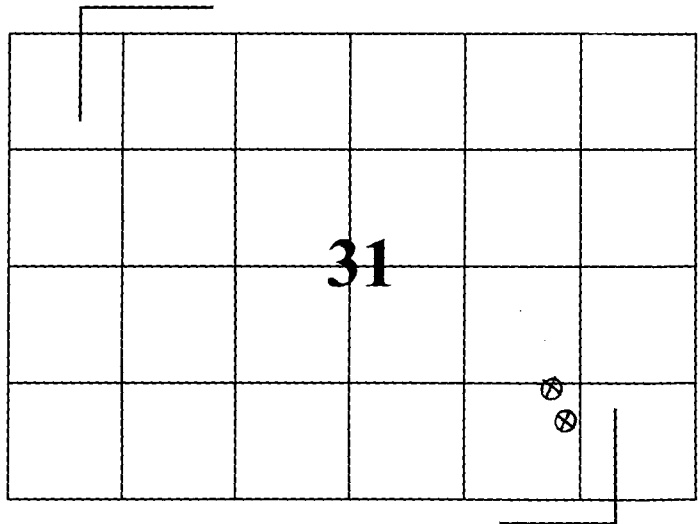
Type of Map: topo

Prepared by: Melvin B Lamke, PE

Reviewed and the Number Assigned on: 4-23-2001

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 2460-2**

Date of first receipt of application April 23, 2001.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2460-2 to Kenneth D Knapp, 13883 Clydesdale Road, Rapid City SD 57702 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. 2460-2 appropriates 0.044 cubic feet of water per second (20 gallons per minute) from two wells (PreCambrian Rock) 230 feet and 349 feet deep located in the E ½ SE ¼ Section 31-T1S-R6E.
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 a motel.
3. The water is to be used during the following described annual period: April 1 – November 1.
4. The date of approval of Permit No. 2460-2 is July 2, 2001.
5. The date from which applicant may claim right is April 23, 2001.
6. One-fifth of the construction is to be completed on or before January 2, 2004.
7. All construction is to be completed on or before July 2, 2006.
8. Water is to be put to beneficial use on or before July 2, 2010.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

By: _____

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

JUL 23 2001

date



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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>2460-2</u>	(office use only) Hydrologic Unit
	Basin <u>Upper Cheyenne</u>	
	Newspaper <u>Rapid City Journal, Rapid City</u>	



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

Check use(s) of water:

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

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

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

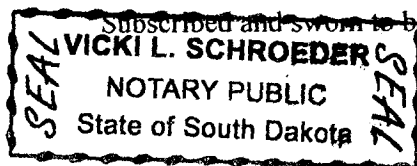
- Name of Applicant KENNETH D KNAPP Phone 605-348-8768
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 13883 CLYDEDALE ROAD RAPID CITY State S.DAK. 57702
(Street, RR. or Box) (Zip Code)
- Amount of water claimed 0.044 *CFS or 20 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply PRECAMBRIAN ROCK
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 2 WELLS IN
E 1/2 OF SE 1/4 SECTION 31, T15, R6E, BHM
County PENNINGTON
- County or counties where water will be used PENNINGTON
- Annual period during which water is to be used APRIL 1 TO NOV. 1
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA)
County of Pennington SS

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

I, KENNETH D KNAPP, 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 Kenneth D Knapp
19 day of April 19 2001
Vicki L Schroeder
Notary Public



MY COMMISSION EXPIRES 11-25-06

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 $\frac{3}{4}$ Depth 349
- b) Casing Type PLASTIC Diameter 6" Thickness 180 lb.
- c) Screen Type NONE Diameter — Thickness —
- d) Gravel Pack NONE Length of Gravel Pack —
- e) Depth to Top of Water Bearing Material 60 FT
- f) Depth to Water (ground surface to water level) 50 FT
- g) Distance to nearest existing domestic well:
- On applicants property YES On property owned by others —

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) SEPTIC TANK
- b) System Capacity (gallons) 2 TANKS 4200 EACH Year Constructed 2001
- c) Connected to the City of — Sanitary System —

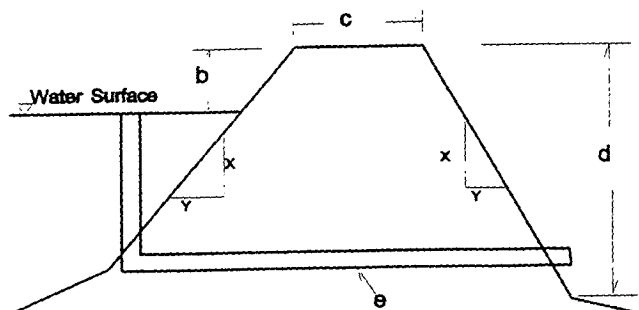
3. Dugout Information

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

4. Water Storage Dams

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

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



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

(Complete applicable portions only)

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 1/2 Depth 230
- b) Casing Type PLASTIC Diameter 6" Thickness 180 lb.
- c) Screen Type NONE Diameter — Thickness —
- d) Gravel Pack NONE Length of Gravel Pack —
- e) Depth to Top of Water Bearing Material 125
- f) Depth to Water (ground surface to water level) 115
- g) Distance to nearest existing domestic well:

On applicants property — On property owned by others YES

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) SEPTIC TANK
- b) System Capacity (gallons) 2 TANKS 4200 EACH Year Constructed 2001
- c) Connected to the City of — Sanitary System —

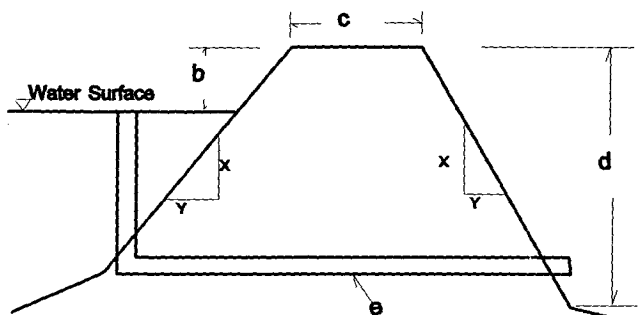
3. Dugout Information

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

4. Water Storage Dams

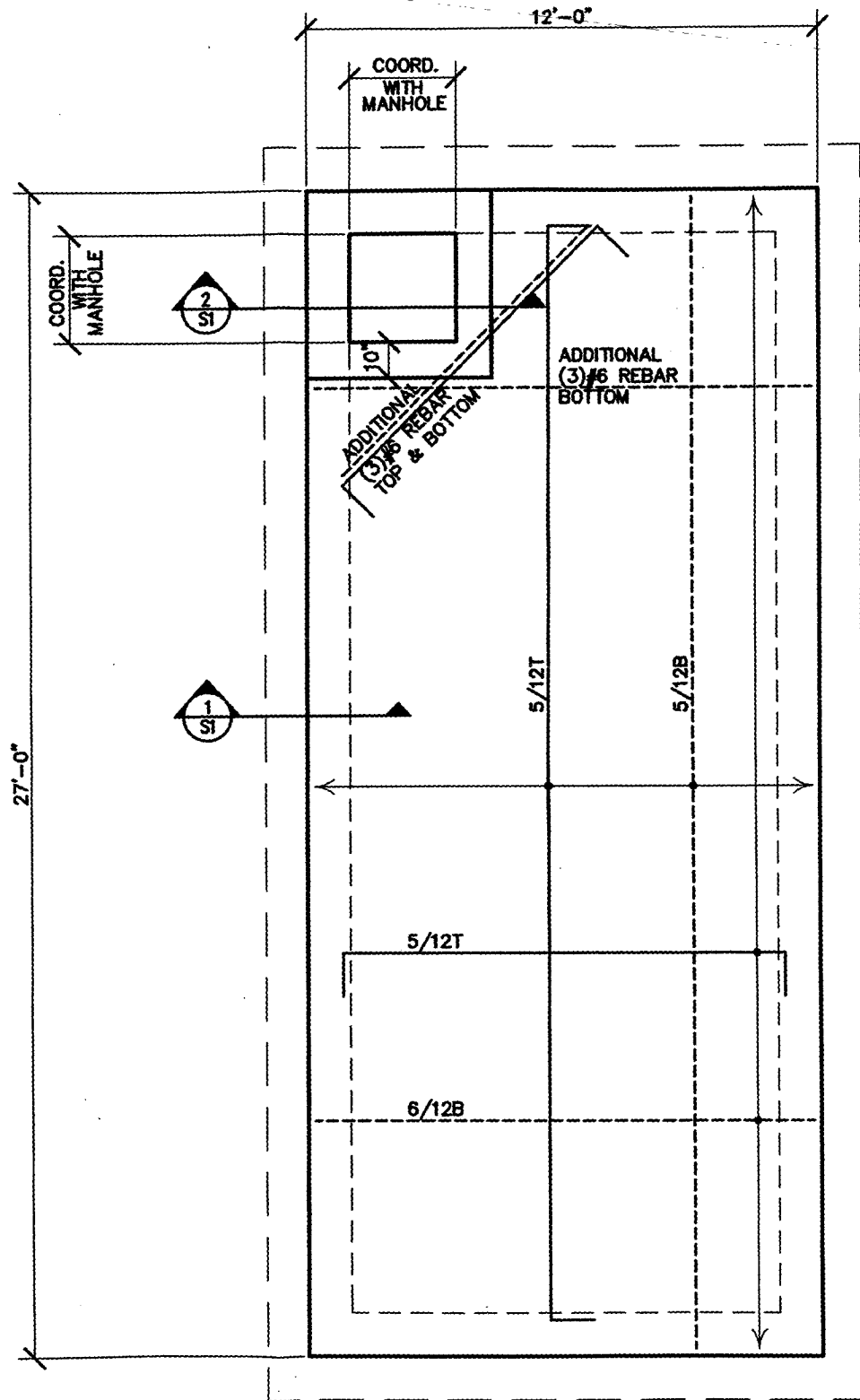
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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



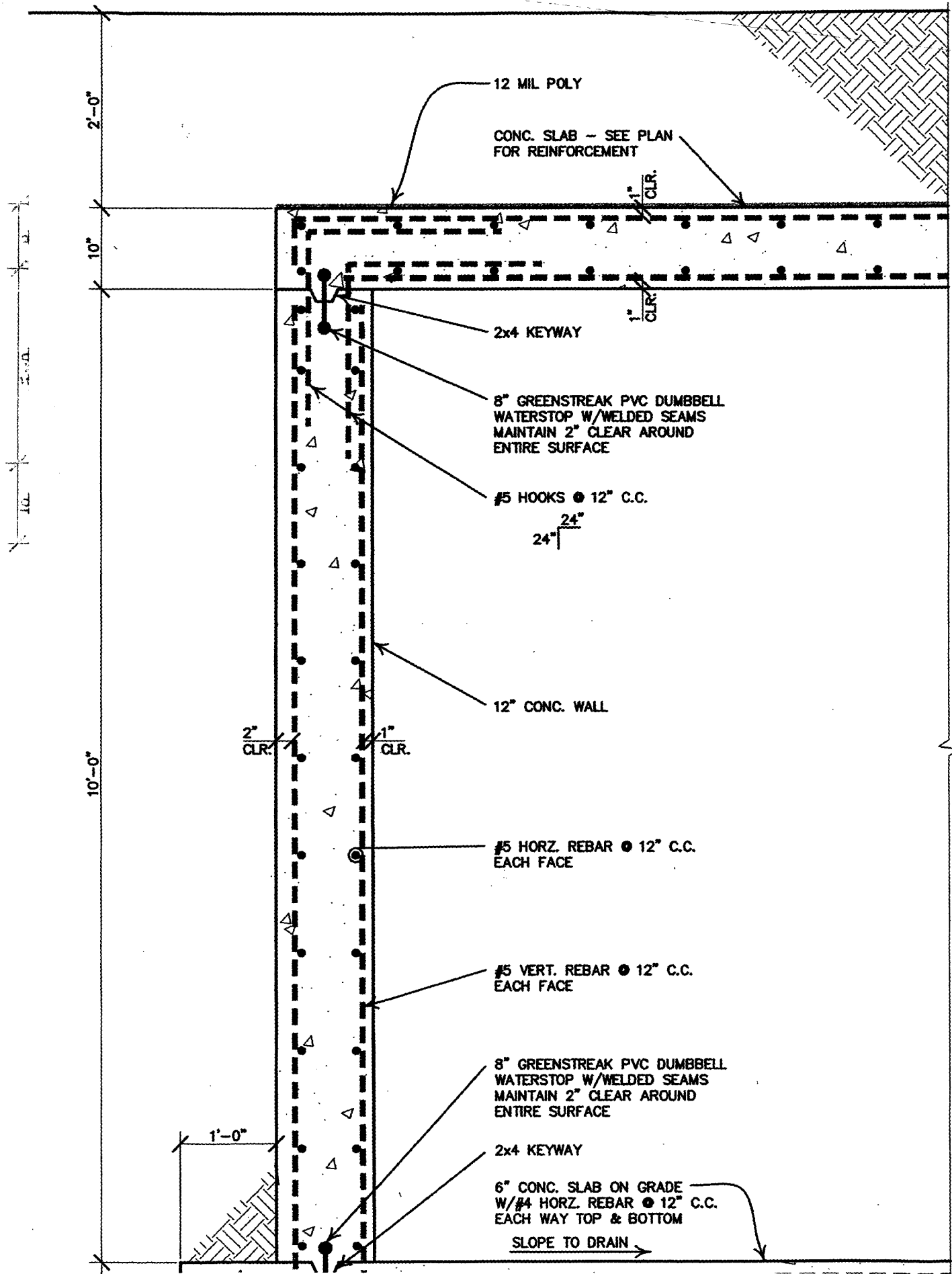
- b) Freeboard —
- c) Crest Width —
Crest Length —
- d) Height —
- e) Primary Outlet Capacity —
If pipe, diameter —
- f) Secondary Spillway Capacity —
Spillway Width —
- g) X & Y Slope —
Upstream —
Downstream —
- h) Surface Area of Impoundment —
- i) Storage — Acre Feet
- j) Drainage Area Above Dam —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

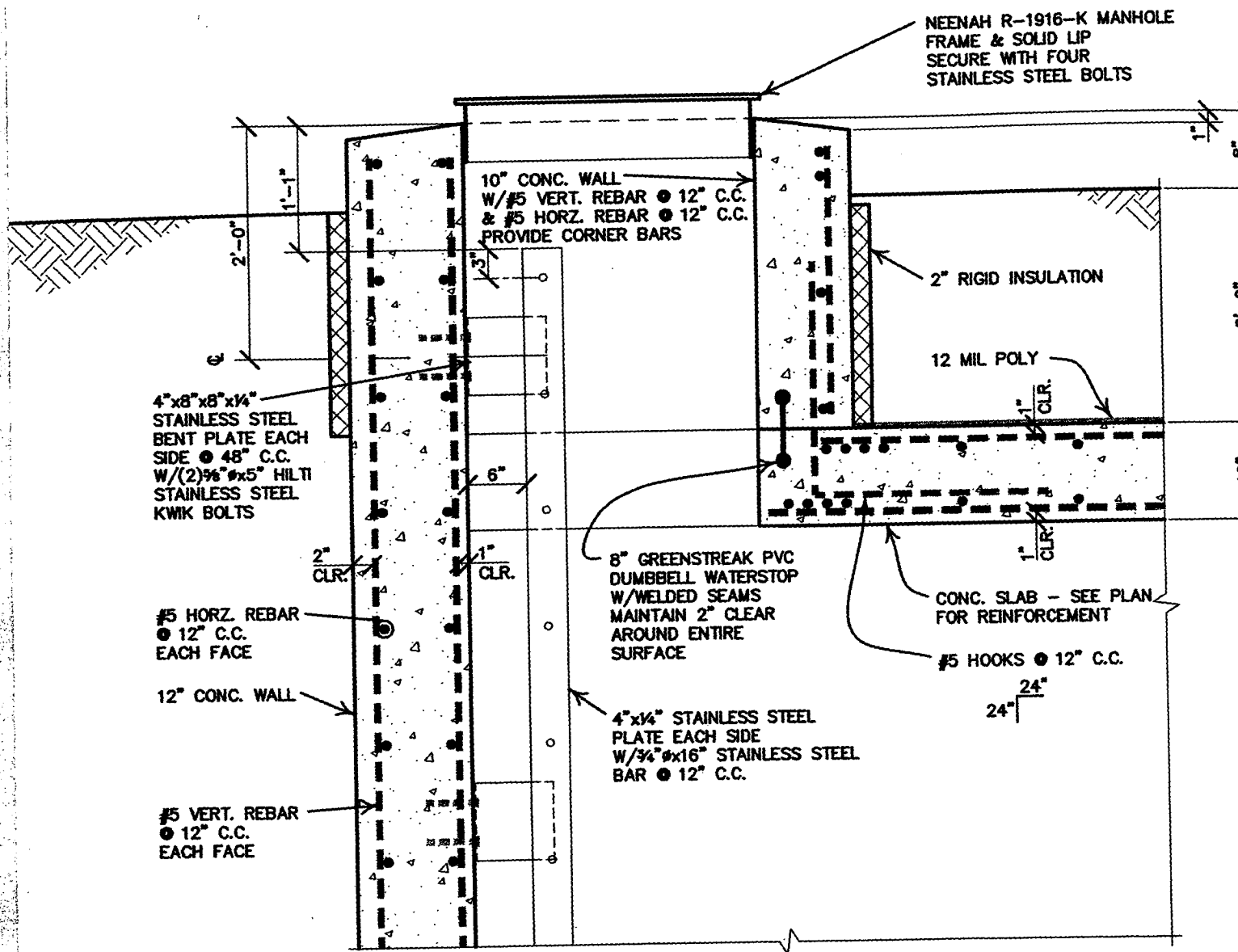
ON
-0"



WATER TANK LID SLAB PLAN

SCALE: $\frac{1}{4}" = 1'-0"$



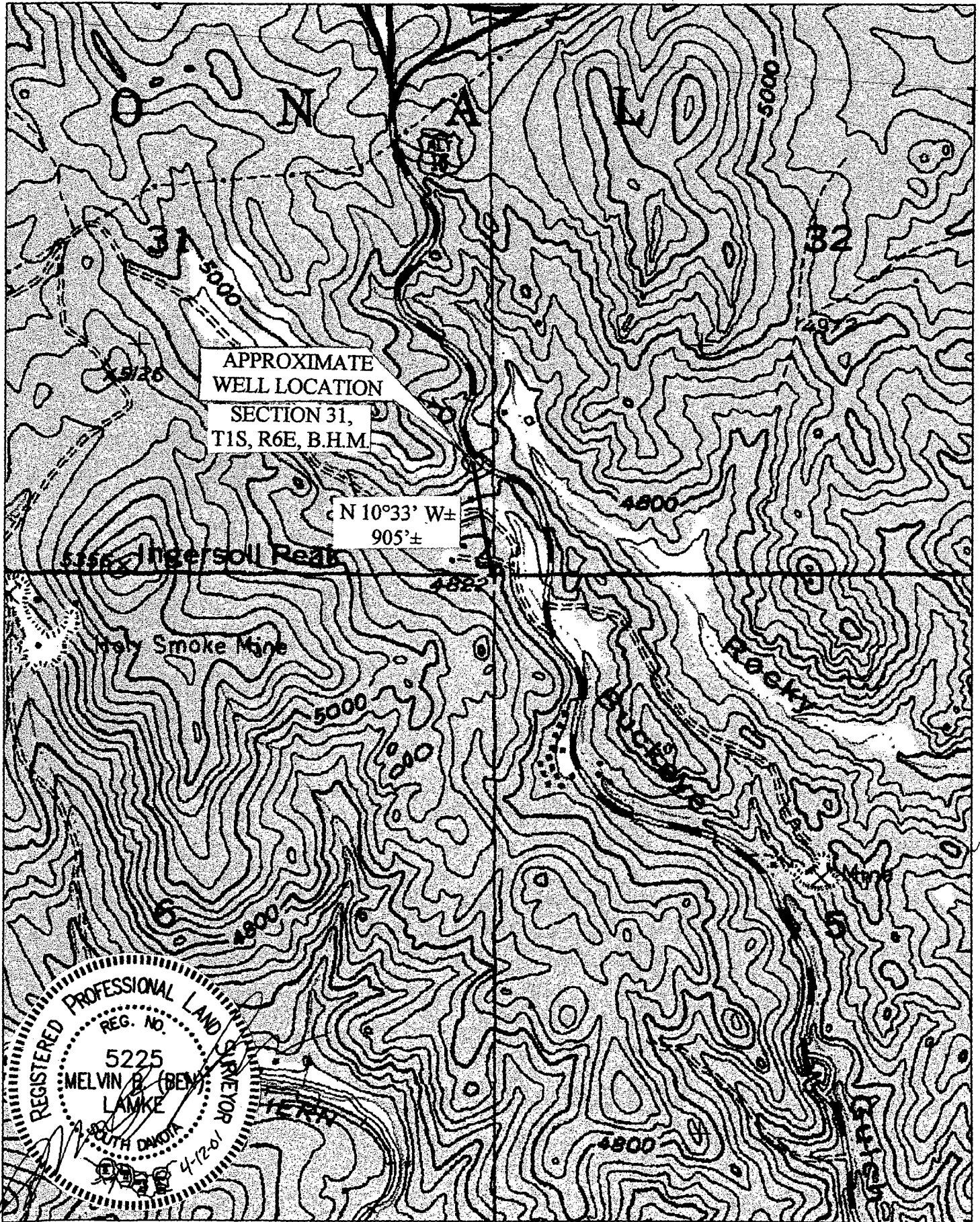


2 SECTION
S1 $\frac{3}{4}" = 1'-0"$



PRINTED

APR 12 2001



↑ 1" = 1000'

2460-2

EXHIBIT 'A'

EASEMENT FOR WATER LINE

LOT A REVISED OF HOLY SMOKE ADDITION

LOCATED IN THE E1/2 OF THE SE1/4
SECTION 31, T15, R6E, BHM
PENNINGTON COUNTY, SOUTH DAKOTA

PRINTED

DEC 19 2000

FILE COPY

NOTE:
THE SIDELINES OF SAID EASEMENTS
ARE TO BE LENGTHENED OR SHORTENED
TO CONFORM TO EASEMENT LINES,
RIGHT-OF-WAY AND/OR PROPERTY
LINES

BASIS OF BEARINGS IS THE
SAME AS SHOWN IN PLAT
BOOK 29 PAGE 157

DIMENSION FOR EASEMENT

LINE	LENGTH	BEARING
L1	41.00	S61°00'00"W

LOT B

H5

PROPOSED
20' WIDE EASEMENT
FOR SANITARY SEWER

SECTION 31
SECTION 32

DECEMBER 13, 2000

0 30 60

SCALE 1" = 60'

15' WIDE EASEMENT
FOR WATER LINE

LOT A REVISED

EXISTING
WATER LINE

EXISTING 20' WIDE EASEMENT
FOR WELL AND WATER LINE
AS SHOWN IN AS SHOWN IN
MISC. BOOK 75 PAGE 1291

EXISTING 20' WIDE POWER
R.O.W. EASEMENT AS SHOWN
IN PLAT BOOK 27 PAGE 71

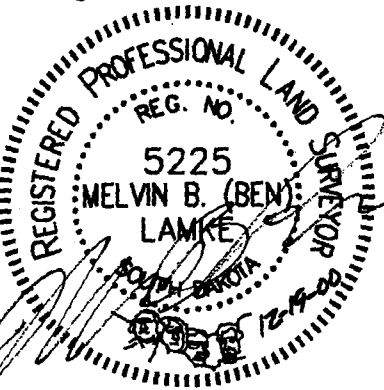
EXISTING EASEMENT FOR SEPTIC TANK
AND DRAIN FIELD SYSTEM AS SHOWN
IN MISC. BOOK 61 PAGE 4629

REX LODGE
M.S. 1525

PROPOSED
EASEMENT FOR SEPTIC
TANK AND DRAINFIELD
SYSTEM

LOT 21

H7



Renner & Sperlich Engineering Co.

616 Sixth St. • Rapid City, SD 57701 • 605/342-1191
FAX: 605/342-1405 • E-MAIL: RSE@RAPNET.COM

TRACT 38

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 416827

Pierre, April 23, 20 01

RECEIVED OF Four Presidents Lodge, 13883 Clydesdall Rd, Rapid City, SD 57702-8330

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	100 00

By _____
Chief Engineer

Darland Elbe

gm

07-92

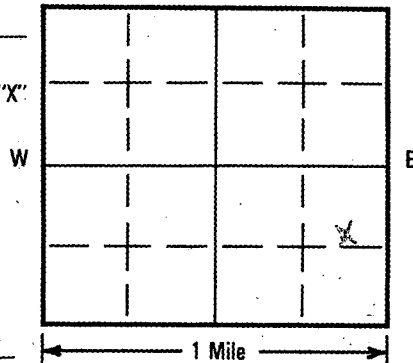
A circular stamp with a date and program name. The date "JUL 2000" is at the top. Below it, "WATER RIGHTS PROGRAM" is written in a bold, sans-serif font. At the bottom, "Pierre, SD" is written. The stamp is surrounded by a circular border containing numbers 1 through 24.

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 NE 1/4 Sec 31 Twp 15 Rg 6E
 County NE SE
Penn

Please mark well location with an "X"



Well Completion Date

May 19 00

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) 300 ft. from Septic Tank (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

AIR ROTARY

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>180</u> LB/FT	<u>6</u> IN	<u>0</u> FT	<u>70</u> FT	<u>8 3/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>TYPE III</u>	<u>8</u>	<u>14.6</u> lb./gal	<u>2</u> ft	<u>30</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure pumped cement down
tremie tube from bottom up

SCREEN:

☐ Perforated pipe ☐ Manufactured
 Diameter _____ IN Length _____ FEET
 Material _____
 Slot Size _____ Set From _____ Feet to _____ Feet
 Other information _____

WAS A PACKER OR SEAL USED? ☒ YES ☐ NO

If so, what material? Rubber
 Describe packer(s) and location? Placed Rubber 70 ft

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: Chlorine
☐ NO, Why Not? _____
 Laboratory sent to for water quality analysis _____

Well Owner: Ken Knapp
 Business Name: _____
 Address: 13883 Underdale Road
Rapid City SD 57745

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>clay</u>	<u>0</u>	<u>2</u>
<u>Braker schist</u>	<u>2</u>	<u>7</u>
<u>Miss schist</u>	<u>7</u>	<u>340</u>

STATIC WATER LEVEL 50 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 Describe: Blew with air
☐ Bailed
☒ Other _____

Pumping Level Below Land Surface

340 ft. After 3 Hrs. pumped 5 GPM
 _____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 1571

And this report is true and accurate.

Drilling firm Hamm Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 6-1-00

Hamn Drilling
12089 Deerfield Road
Hill City, SD 57745
Phone (605) 574-2995
Fax (605) 574-2542

April 27, 2000

Department of Environment and Natural Resources
Attention Ken Buhler
523 East Capital
Pierre, South Dakota 57501-3081

Dear Mr. Buhler:

This letter is a request for permission to drill a test well for a proposed motel.

The owner is Ken Knapp, 13883 Clydesdale Road, Rapid City SD 57702.

The legal description of the property is SE 1/4 NE 1/4 SE 1/4, Section 31, T 1S, R 6E, Black Hills Meridian. Approximate well depth is 300 feet in Precambrian rock. The well will be drilled under license number 171.

Thank you for your quick attention to this matter.

Sincerely,

Doug Hamn





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 29, 2000

Doug Hamm
Hamm Drilling
12089 Deerfield Road
Hill City, SD 57745

Dear Mr. Ham:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well for Ken Knapp, 13883 Clydesdale Road, Rapid City, SD 57702, for a motel, prior to approval of a water permit. The test well is to be completed into the crystalline rock in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, T1S-R6E. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Very truly yours,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 27, 2000

Doug Hamm
Hamm Drilling
12089 Deerfield Road
Hill City, SD 57745

Dear Mr. Hamm:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a second test well for Ken Knapp, 13883 Clydesdale Road, Rapid City, SD 57702, for a motel, prior to approval of a water permit. The test well is to be completed into the crystalline rock in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, T1S-R6E. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Very truly yours,

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

Hamm Drilling
12089 Deerfield Road
Hill City, SD 57745

June 25, 2000

Department of Environment and Natural Resources
Attention Ken Buhler
523 East Capital
Pierre, SD 57501-3081

Dear Mr. Buhler:

This letter is a request for permission to drill a second test well for a proposed motel.

The owner is Ken Knapp, 13883 Clydesdale Road, Rapid City, SD 57702.

The legal description of the property is SE 1/4 NE 1/4 SE 1/4, Section 31, T 1S, R 6E, Black Hills Meridian. Approximate well depth is 240 feet in Precambrian rock. The well will be drilled under license number 171.

Thank you for your quick attention to this matter.

Sincerely,

Doug Hamm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 14, 2000

Ken Knapp
13883 Clydesdale Road
Rapid City SD 57701

Dear Mr. Knapp:

I am writing in regard to a well driller's report filed by Hamm Drilling. The report shows a new well has been completed for your business. It is my understanding that you are proposing construction of a motel. Based on this information, a water permit is required for this water use.

1. According to state law, a water permit is needed for any water use except for reasonable, private domestic use. Examples of commercial uses that require a water rights permit are: truckstops; motels; restaurants; bars; clubs; tourist attractions; campgrounds or any other business operation.
2. Also, as a new well owner, you need to be aware of some of your responsibilities. Enclosed is a copy of "Well Owner Responsibilities". Please review these responsibilities to ensure you are complying with all of the requirements.

Enclosed are application forms and instruction sheet to apply for a water permit. The completed forms with the application fee and map can be returned to: Water Rights Program, 523 E. Capitol, Pierre, SD 57501. Please respond by September 14, 2000.

If you believe your water use does not require a water permit or that you have an existing permit, or if help is needed completing the application forms, please contact Ron Duvall or me at (605) 773-3352. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak
Water Rights Program

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 4, 2001

Ken Knapp
13883 Clydesdale Road
Rapid City SD 57701

*Called 1/16/01
Sent him another
set of appl. forms*

Dear Mr. Knapp:

On August 14, 2000, you were sent applications forms for a Permit to Appropriate Water for commercial use based on a well completion report. An application is necessary to obtain a water permit which will reflect your water use. To date, we have not received a response regarding this application.

Obtaining a water permit that accurately reflects your water use 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 need another set of application forms or have any questions, please contact me.

Sincerely,

Karen Schlaak

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

WATER PERMIT APPLICATION NO. 2460-2

Kenneth D. Knapp

May 23, 2001

Water Permit Application No. 2460-2 proposes to appropriate 0.044 cubic feet of water per second (20 gallons per minute) from two wells (Precambrian aquifer), 230 feet and 349 feet deep located in the E½ SE¼ Sec. 31, T1S-R6E, in Pennington County. The water is for commercial use.

WATER SOURCE: Precambrian rock (CRSL)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Precambrian rock in this area consists of metamorphosed sedimentary deposits and igneous rocks. The aquifer is unconfined and under water table conditions. Ground water is obtained from fractures and other secondary permeability features. Generally, this means low capacity wells with large drawdown within the production well during pumping. Completion reports for the two wells that are proposed to be used are included with the application. Although constructed as test wells, the wells are constructed in a manner that they can be used for production wells. The wells appear to be constructed in accordance with the SD Well Construction Standards.

The Water Rights Program monitors one observation well completed into the Precambrian rock (Water Rights, 2001_b). This observation well is located about 12 miles southwest of this project, in Custer, SD. The hydrograph for this well indicates that water levels respond to climatic conditions, that is rising water levels during wet years and gradually declining water levels during dry years, see figure 1. The groundwater conditions in the area of this proposed project are expected to be similar.

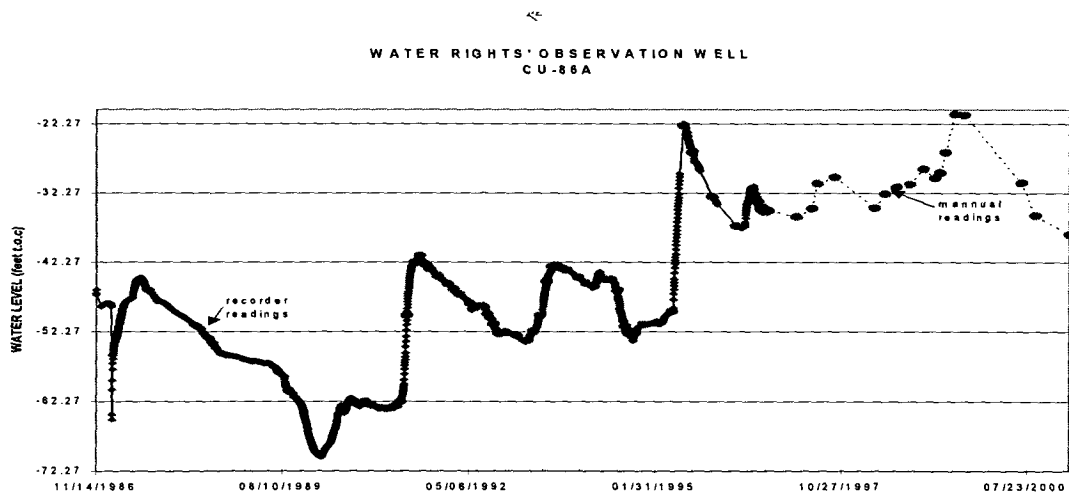


Figure 1. Hydrograph of Precambrian Observation Well in Custer, SD

In all probability the groundwater conditions in this area are very similar.

REVIEW OF EXISTING WATER PERMITS/RIGHTS:

There are several domestic wells in this area that are completed into the Precambrian aquifer (Water Rights, 2001_a). There are two existing appropriations from the Precambrian aquifer within one-quarter mile of the well sites to be used for this application, Vested Right No. 2341-2 and Water Permit No. 2342-2, both belonging to Danielle Elshere (Water Rights, 2001_c). Conversations with Ms. Elshere and with Mr. Knapp indicate that Elshere's restaurant and Knapp's motel are intending to compliment each other and the parties have worked closely with each other in planning. One well to be used for this project is located by easement on property owned by Elshere and is located within a few hundred feet of a well covered under Water Permit No. 2342-2. Interference between these wells is likely. The wells involved in these projects are low yield wells and drawdown is not expected to extend far from the production well.

As is the case with most low yield wells, the pumps installed in these wells will probably draw from the storage built into the wells at capacities that exceed the actual yields of the wells. In situations like this, wells are fitted with mechanisms that shut the pump off at a low water level. The pumps in these wells will cycle on and off depending not only on demand (to replenish storage), but also depending on water levels in the well. Although the wells are adequate pursuant to ARSD 74:02:04:20(6), it will be unlikely that well interference could be distinguished from limitations inherent to the wells.

CONCLUSIONS:

1. The Precambrian aged rock is a viable aquifer in this area.
2. Unappropriated water is available from the Precambrian aquifer.
3. Although well interference is likely it is not expected to be adverse if this application is approved.



Ken Buhler
Natural Resources Engineer

Approved by



James A. Goodman, P.E.
Natural Resources Engineer

REFERENCES:

Water Rights Program, 2001_a, "Domestic Well Log Files", DENR-Water Rights Program,
Joe Foss Building, Pierre, SD 57501

Water Rights Program, 2001_b, "Observation Well Files", DENR-Water Rights Program, Joe
Foss Building, Pierre, SD 57501

Water Rights Program, 2001_c, "Water Right/Permit Files", DENR-Water Rights Program,
Joe Foss Building, Pierre, SD 57501



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2460-2, Kenneth D. Knapp**

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. 2460-2, Kenneth D. Knapp, 13883 Clydesdale Road, Rapid City SD 57702.

The Chief Engineer is recommending APPROVAL of Application No. 2460-2 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 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.

See report on application for additional information.

Garland Erbele, Chief Engineer
June 5, 2001



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:

June 13, 2001

June 22, 2001

Cost of Printing Eighty-three dollars

and twenty cents (\$83.20)

Patricia K. Van Patten
(Signature)

Legal Advertising Representative
(Title)

June 22, 2001
(Date Signed)

June 13, 22

L926927

NOTICE OF APPLICATION NO. 2460-2 TO APPROPRIATE WATER

Notice is given that Kenneth D. Knapp, 13883 Clydesdale Road, Rapid City, SD 57702, has filed an application for a water permit to appropriate 0.044 cubic feet of water per second (20 gallons per minute) from two wells (PreCambrian Rock) 230 feet and 349 feet deep located in the E½SE¼ Section 31-T1S-R6E. The water is for commercial use at a motel.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2460-2 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 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 July 2, 2001.

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 by July 2, 2001, at the above Water Rights Program address to request copies of information pertaining to this application.

Steven M. Pirner, Secretary
Department of Environment
and Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

June 5, 2001

Kenneth D. Knapp
13883 Clydesdale Rd.
Rapid City, SD 57702

Dear Mr. Knapp:

Water Permit Application No. 2460-2 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 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 57501-3182
www.state.sd.us/denr

June 5, 2001

Rapid City Journal
PO Box 450
Rapid City, SD 57709-0450

ATTENTION: Legal Public Notice

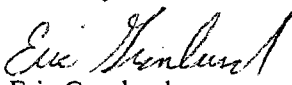
Enclosed is a Notice of Hearing on Application No. 2460-2 to Appropriate Water to be published twice. Please publish the first notice on June 13, 2001 with the second publication 7 days later.

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 Kenneth D. Knapp, 13883 Clydesdale Rd., Rapid City, SD 57702 (Ph # 605-348-8768).

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

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

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 2460-2

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

Date _____

We are in receipt of your letter of June 5, 2001 enclosing Notice of Hearing to Appropriate Water by Application No. 2460-2 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 June 13, 2001 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2460-2 to Appropriate Water

Notice is given that Kenneth D Knapp, 13883 Clydesdale Road, Rapid City SD 57702 has filed an application for a water permit to appropriate 0.044 cubic feet of water per second (20 gallons per minute) from two wells (PreCambrian Rock) 230 feet and 349 feet deep located in the E ½ SE ¼ Section 31-T1S-R6E. The water is for commercial use at a motel.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2460-2 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 July 2, 2001.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 23 2001

Kenneth D Knapp
13883 Clydesdale Rd.
Rapid City, SD 57702

Dear Mr. Knapp:

Enclosed is Water Permit No. 2460-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

enclosures

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

Date OCT. 9, 2001

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

FROM:

KENNETH D. KRAPF
(name)

13883 CLYDESDALE RD.
(address)

RABO CITY S.DAK 57002 605-348-8768
(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. 2460-2 states that the water use system is to be constructed by

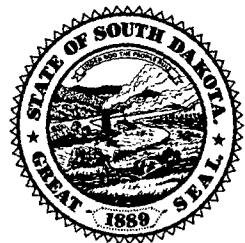
~~SEPT~~ JULY 2, 2006 and water is to be put to beneficial use by JULY 2, 2010.
(date) (date)

The water use system was completed on MAY 15, 2001.
(date)

Applying the water to beneficial use was completed on MAY 15, 2001.
(date)

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

Kenneth D. Krapp
(signature)



Permit No. 2460-2
Upper Cheyenne River - Water District

Other permit/license(s) associated with project: none

Contact Person & Address: **Kenneth Knapp, 13883 Clydesdale Rd, Rapid City SD 57702**

Report Of Examination Of Works

On, **October 9, 2001**, I made a thorough examination of the water use system constructed by **Kenneth D. Knapp** of **13883 Clydesdale Road, Rapid City, SD 57702** holder of Permit No. **2460-2**, bearing the priority of **April 23, 2001** authorizing the diversion of **0.044** cu. ft. per second of the waters of **groundwater** for **commercial** purposes, in **Pennington** County.

The system is in the following condition **good**. The point of diversion, well #1, is located **885 feet north and 160 feet west of the south east corner of Sec. 31, T1S-R6E** with a longitude of **-103.440109** and a latitude of **43.914173**. The point of diversion, well #2, is located **1250 feet north and 300 feet west of the south east corner of Sec. 31, T1S-R6E** with a longitude of **-103.440744** and a latitude of **43.915211**. The works are capable of diverting and conveying to the place of use **0.033** cu. ft. per second of water which is to be used for **commercial purposes**. Water has been put to beneficial use to the maximum extent and the license should be issued for **0.033** 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: **na**

Report On the Specifics of the System

Diversion Point Information:

Well No. 1

- | | |
|--|--|
| 1) Well Drilling Firm: <u>Hamm Drilling</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>225</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|------------------------------------|---------------------------------|
| 1) Diameter <u>6</u> inches | 2) Length <u>30</u> feet |
| 3) Type <u>PVC</u> | |

Screen:

- | | |
|---|---|
| 1) Type <u>none (open hole completion)</u> | 2) Length <u>195</u> feet (open hole interval) |
|---|---|

3) - Static water level 115 feet

Pump\ Motor:

- | | |
|-------------------------------------|--|
| 1) Pump Make <u>AY McDonald</u> | 2) Pump Model <u>21100K</u> |
| 3) Capacity <u>10</u> GPM | 4) Motor Make <u>Franklin Electric</u> |
| 5) Motor Model No. <u>280184915</u> | 6) Horsepower rating <u>one</u> hp |

Well No. 1

- | | |
|---|-------------------------------------|
| 1) Well Drilling Firm: <u>Hamm Drilling</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>340</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|-----------------------------|--------------------------|
| 1) Diameter <u>6</u> inches | 2) Length <u>30</u> feet |
| 3) Type <u>PVC</u> | |

Screen:

- | | |
|--|--|
| 1) Type <u>none (open hole completion)</u> | 2) Length <u>310</u> feet (open hole interval) |
| 3) Static water level <u>50</u> feet | |

Pump\ Motor:

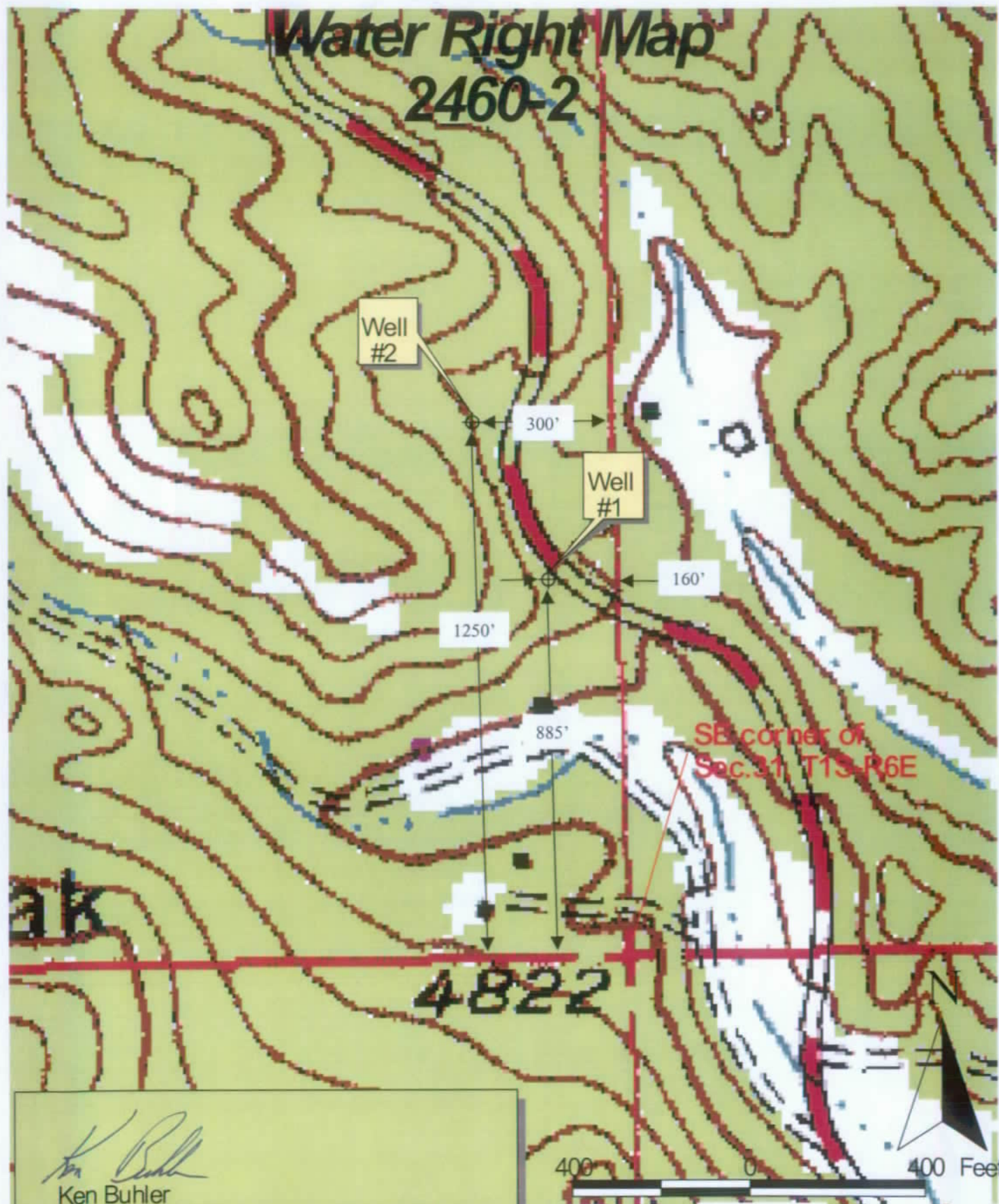
- | | |
|--------------------------------------|---|
| 1) Pump Make <u>AY McDonald</u> | 2) Pump Model <u>21050J</u> |
| 3) Capacity <u>5</u> GPM | 4) Motor Make <u>Franklin Electric</u> |
| 5) Motor Model No. <u>2801054915</u> | 6) Horsepower rating <u>one-half</u> hp |



Ken Buhler
Natural Resources Engineering Specialist
DENR, Water Rights Program

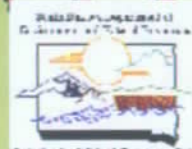
11/28/01
Date

Water Right Map 2460-2



Ken Buhler

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



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2460-2

(1) Kenneth D. Knapp, 13883 Clydesdale Road, Rapid City SD 57702 made Application No. 2460-2, April 23, 2001 for a water permit to divert 0.044 cubic feet of water per second from groundwater (two wells), Pennington County, South Dakota for commercial purposes. Permit No. 2460-2, with a priority date of April 23, 2001 was approved July 2, 2001 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 2, 2006 and for the application to beneficial use of said water on or before July 2, 2010.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on October 9, 2001. The *Notice* stated the diversion system was completed on May 15, 2001 and the water placed to beneficial use on May 15, 2001.

(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 points are Well # 1 - 885 feet north and 160 feet west of the southeast corner of Section 31 and Well # 2 - 1,250 feet north and 300 feet west of the southeast corner of Section 31; all in T1S-R6E (SE 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.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Kenneth D. Knapp, 13883 Clydesdale Road, Rapid City SD 57702 the holder and/or owner of Water Right No. 2460-2 is issued a license to appropriate water, the right to use 0.033 cubic feet of water per second from groundwater (two wells) with a priority date of April 23, 2001 from the locations specified in (2) of this license for commercial purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2460-2 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

JAN 15 2002

2460-2

Kenneth D. Knapp
13883 Clydesdale Rd.
Rapid City, SD 57702

Dear Mr. Knapp:

Enclosed is Water License No. 2460-2. 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. 2460-2, 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