

WATER PERMIT NO. 2583-2

Name of Applicant: Carroll Korb

Address: PO Box 8088, Rapid City SD 57709

Phone: 605 341-6500

Amount of Water Claimed: 0.10 cfs

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial

County: Pennington

Type of Waste Disposal System:

Location: south side of Rapid City

PRIORITY Date Received: 4-12-06

Application/License Fee: \$100

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: SW ¼ NE ¼ Sec 20-T1N-R8E

Land to be Irrigated: NA

Depth of Well: 1100 feet deep

Well Driller:

Remarks:

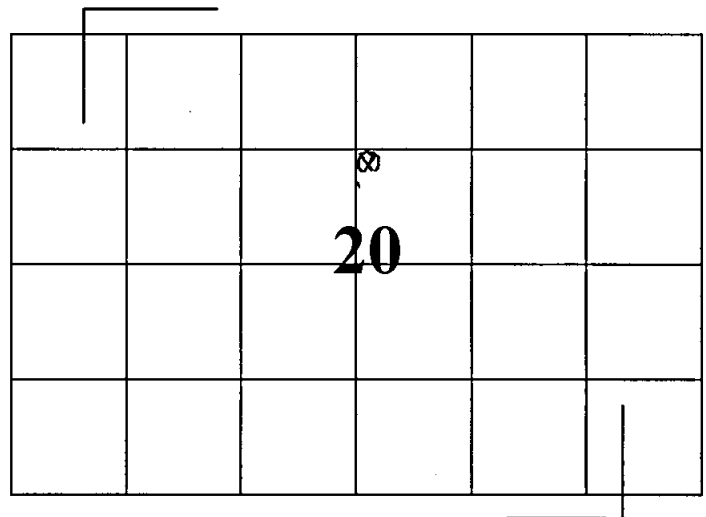
Type of Map: plat

Prepared by: Duane Scott, RLS

Reviewed and the Number Assigned on: 4-12-06

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



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>2583-2</u>	(office use only) Hydrologic Unit <u>10/20/09</u>
	Basin <u>Upper Cheyenne</u>	
	Newspaper <u>Rapid City Journal, Rapid City</u>	

RECEIVED
APR 12 2006
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

Type of Application:
(check one)

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

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

- Name of Applicant Carroll Korb Phone 605-341-6500
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO Box 8088 RCSD 57709 State SD
(Street, RR, or Box and City) (Zip Code)
- 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)
- Source of water supply INyan Kara Formation
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County PENNA.
1 well in SW1/4 NE1/4, S20, R8E, T1N Black Hills Meridian
- County or counties where water will be used PENNINGTON
- Annual period during which water is to be used all year Jan 1- Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
Drill a New well to service two businesses.

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)

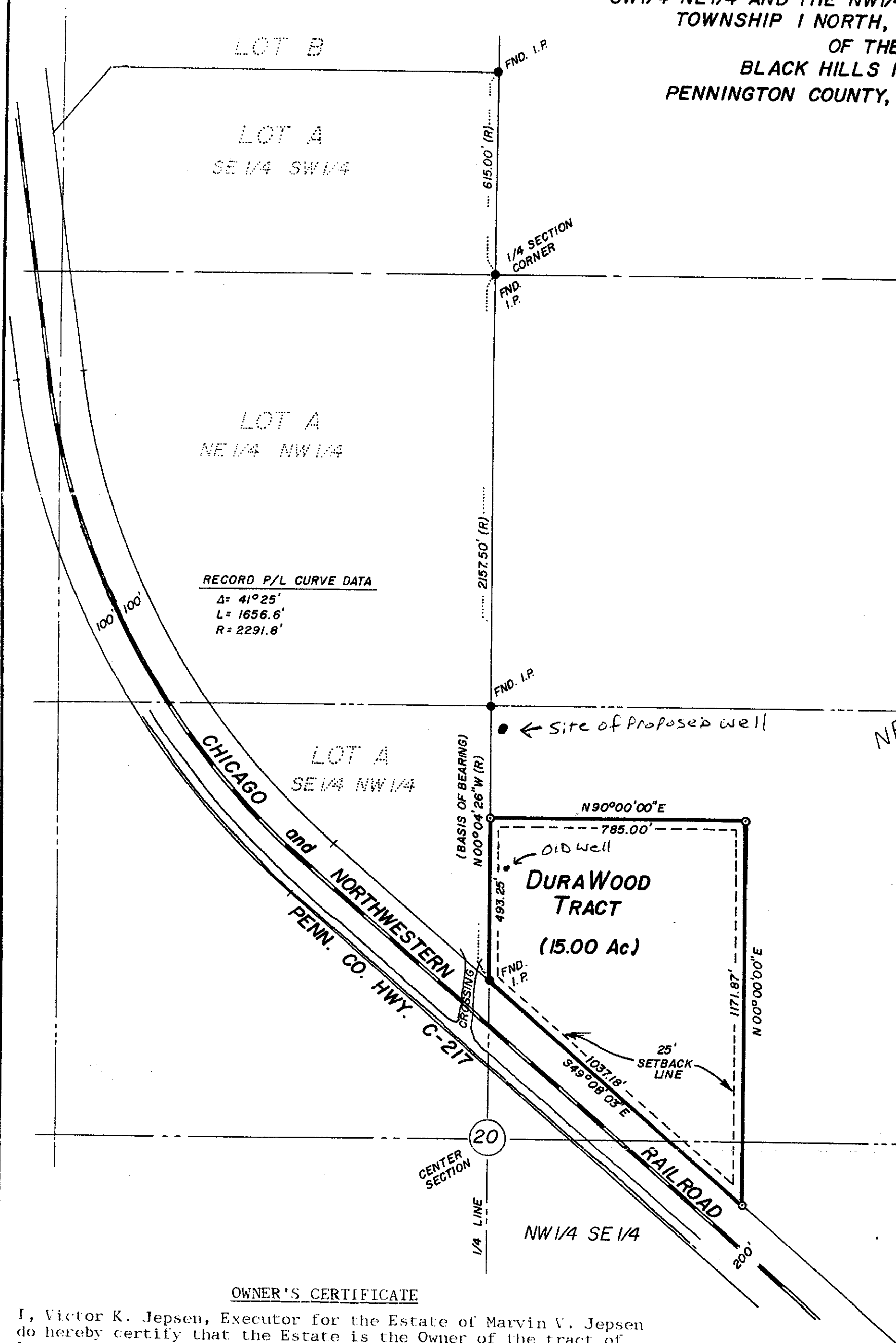
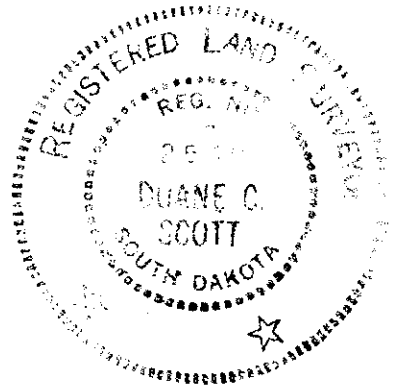
I, Carroll M Korb, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature [Signature]

Subscribed and sworn to before me this 10th day of April 20 06

[Signature]
Notary Public signature

**DURAWOOD TRACT IN THE
SW1/4 NE1/4 AND THE NW1/4 SE1/4 SECTION 20,
TOWNSHIP 1 NORTH, RANGE 8 EAST,
OF THE
BLACK HILLS MERIDIAN,
PENNINGTON COUNTY, SOUTH DAKOTA.**



SCALE: 1" = 300'

BUILDING SETBACKS:

FRONT..... 25'

REAR..... 25'

SIDES..... 25'

NOTE: All drainage easements shown hereon shall be kept free of all obstructions including, but not limited to, buildings, walls, fences, hedges, trees and shrubs. These easements grant to all public authorities the right to construct, operate, maintain, inspect and repair such improvements and structures as it deems expedient to facilitate drainage from any source.

Owner: Marvin V. Jepsen Estate

Victor K. Jepsen, Ex.
Victor K. Jepsen, Executor

My Commission Expires:

2-5-89

Cathy A. Nelson
Notary Public

Patricia L. Bachman Deputy
Pennington County Treasurer

Finance Officer of the City of
Rapid City

Finance Officer of the City of
Rapid City

I, Duane C. Scott, Registered Land Surveyor, do hereby certify that at the request of the owner listed hereon, I have surveyed the land shown on the above plat and have marked upon the ground the boundaries in the manner shown, and that the plat is true and correct as shown. WITNESS my hand and seal this Twenty-fifth day of July, 1984.

Registered Land Surveyor #2540

On this Twenty-fifth day of July, 1984, before me the undersigned officer, personally appeared Duane C. Scott, known to me to be the person who executed the foregoing Surveyor's Certificate and acknowledged to me that he executed the same for the purposes therein contained. IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires:
February 7, 1986

Notary Public

I, Director of Equalization of Pennington County, do hereby certify that I have on record in my office a copy of the within described plat. Dated this 22 day of August, 1988.

Richard Kautz, App. #1
Director of Equalization

Approved: Richard Kank, CAA, lb 7-26-84
Director of Equalization

Access approved by the Pennington County Highway Department. Dated this 8/23/84 day of August, 1984.

Pennington County Highway Supt.

Filed for record this 23 day of August, 1984,
at 11:40 (~~AM~~) (PM) and recorded in book of plats No. 19
on page 187.

Lorraine Hedden
Register of Deeds of Penn. County

2583-2

**SOUTH DAKOTA
WATER PERMIT NO. 2583-2**

Date of first receipt of application April 12, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2583-2 to Carroll Korb, PO Box 8088, 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. 2583-2 appropriates 0.10 cubic feet of water per second from one well to be completed into the Inyan Kara Formation (approximately 1100 feet deep) located in the SW ¼ NE ¼ Section 20-T1N-R8E.
2. The water appropriated shall be used for the purpose of commercial use to serve two businesses and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 2583-2 is July 10, 2006.
5. The date from which applicant may claim right is April 12, 2006.
6. One-fifth of the construction is to be completed on or before January 10, 2009.
7. All construction is to be completed on or before July 10, 2011.
8. Water is to be put to beneficial use on or before July 10, 2015.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

By: Garland Erbele

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

AUG 28 2006
date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6 3/4" Depth 1100'
- b) Casing Type Steel Diameter 5 1/2" Thickness .275
- c) Screen Type None Diameter N/A Thickness N/A
- d) Gravel Pack No Length of Gravel Pack N/A
- e) Depth to Top of Water Bearing Material 900' APPROX.
- f) Depth to Water (ground surface to water level) -100' APPROX.
- g) Distance to nearest existing domestic well:
On applicants property X On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Drain Field
- b) System Capacity (gallons) 1000 Year Constructed 1990
- c) Connected to the City of N/A Sanitary System

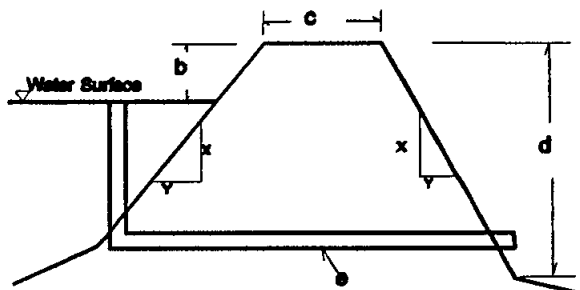
3. Dugout Information

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

4. Water Storage Dams

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

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



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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 12, 20 06

RECEIVED OF Forest Products distributors Inc, PO Box 8088, Rapid City SD 57709

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

Fee for Application for Permit No. <u>2583-2</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. <u>2583-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	100.00

No.

By Darland Eble
Chief Engineer *gm*

02229

WATER PERMIT APPLICATION NO. 2583-2
CARROLL KORB
JUNE 9, 2006

Water Permit Application No. 2583-2 proposes to appropriate 0.10 cubic feet of water per second from one well to be completed into the Inyan Kara aquifer (approximately 1100 feet deep) located in the SW¼ NE¼ Sec.20, T1N-R8E, Pennington County. The water is for commercial use.

AQUIFER: Inyan Kara

GENERAL:

The Inyan Kara aquifer consists of the Fall River Formation and the underlying Lakota Formation. In the Rapid City area, the Fall River Formation is about 125 feet thick and the thickness of the Lakota Formation ranges from 225 to 375 feet (Cattermole, 1972). The two formations are probably hydraulically connected and therefore can be considered a single aquifer. In general, the Inyan Kara aquifer consists of interbedded sandstone (thin bedded to massive), siltstone, and shale. The aquifer is areally extensive, underling over 36,000 square miles of western South Dakota (Allen and others, 1985). The Inyan Kara underlies 1.245 million acres and contains an estimated 23.35 million acre feet of recoverable water in storage in Pennington County (Allen and others, 1985). Ground water movement is basically from west to east in this area (Strobel and others, 2000).

The Inyan Kara outcrops (is recharged) about two miles west of this well site (Strobel and others, 1999). The top of the Inyan Kara is estimated to be approximately 700 feet below grade at this well site (Carter and Redden, 1999). The static water level of a well in this location is expected to be around 150 feet below grade (Strobel and others, 2000).

WATER AVAILABILITY:

Average annual recharge to the Inyan Kara aquifer in the Black Hills area from 1950 through 1998, is estimated to be 11,600 acre-feet annually (Driscoll and others, 2002). The average annual withdrawals from the aquifer for the same time period were estimated to be 1,400 acre-feet/year (Driscoll and others, 2002). A simple water budget demonstrates that withdrawals from the aquifer do not exceed recharge.

The Water Rights Program monitors seven observation wells completed into the Inyan Kara aquifer in the Black Hills area. Water Rights' Observation Well PE-95B, completed into the Inyan Kara aquifer is located about three-fourths of a mile northwest of this well site. The hydrograph for the well (figure 1) documents that the water level of the aquifer has fluctuated less than six feet between the highest and the lowest water levels for the period of record. It is clear from the data that the aquifer readily recharges, and that the aquifer can sustain additional appropriations (Water Rights, 2006b).

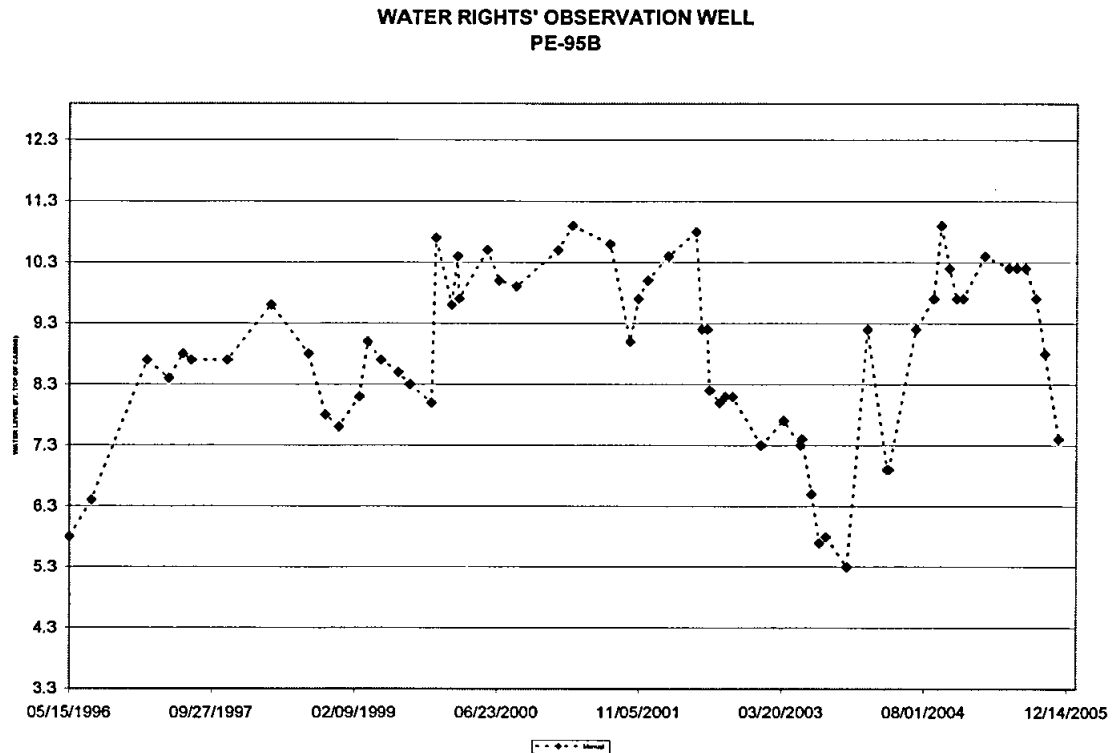


Figure 1. Hydrograph of an observation well completed into the Inyan Kara aquifer approximately three-fourths of a mile northwest of the well site proposed by this application

EXISTING WATER RIGHTS:

The Inyan Kara Aquifer has been developed in at least 23 counties in South Dakota with 157 Water Rights/Permits. In addition, the Town of New Underwood holds Future Use Permit No. 1780-2 which reserves 142 acre-feet annually from the Inyan Kara. There are 43 rights/permits appropriating water from the Inyan Kara Aquifer in Pennington County (Water Rights, 2006c). Six Water Rights/Permits supplied from the Inyan Kara aquifer are within four and one-quarter miles of this proposed well site, they are shown below in table 1.

PERMIT NO	NAME	USE	CFS	ACRES
779-2	RAPID VALLEY SANITARY DISTRICT	SHD	1.00	
1360-2	ALADDIN INVESTMENTS INC	SHD	0.15	
2323-2	ZITA KWARTEK	IRR	1.36	95.00
2376-2	EDWARD J GRIFFITH	COM	0.02	
2414-2	SIGNATURE DEVELOPMENT COMPANY	SHD	0.10	
2534-2	RUSHMORE HOCKEY ASSOCIATION	REC	0.03	

Table 1. Water Rights/Permits appropriating water from the Inyan Kara aquifer within four and one-quarter miles of 2583-2

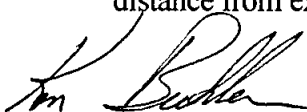
The nearest well supplying a groundwater appropriation, Water Permit No. 2534-2, Rushmore Hockey Assoc. is located approximately one-half mile southeast of this proposed well site.

Since the Inyan Kara is under confined (artesian) conditions in this area, pumping from an individual well may cause a decline in the potentiometric surface over a fairly widespread area. Drawdown from this appropriation may be measurable at the well used to supply Water Permit No. 2534-2; however, it is not likely to be significant due to the distance between wells and the low diversion rate proposed by this application.

In addition to appropriative rights, the Water Rights Program has record of a number of Inyan Kara wells in this area (Water Rights, 2006a). The potential affect of this appropriation on domestic wells must be considered. An "Adversely impacted domestic well" is defined by ARSD 74:02:04:20(7), as a well that was constructed to allow the pump intake to be set at least 20 feet below the top of the aquifer, in which the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner's needs. It is likely that even if a domestic well completed into the Inyan Kara aquifer in this area experienced interference, it would still be capable of delivering sufficient water with a pump inlet placed near the top of the aquifer. Therefore adverse impact to domestic wells is not probable.

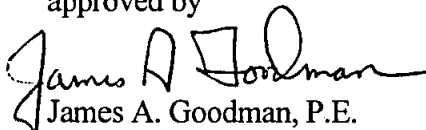
CONCLUSIONS:

1. The Inyan Kara Aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. Well interference should not be a problem at the proposed well site because of the distance from existing wells.



Ken Buhler
Natural Resources Engineering Specialist

approved by



James A. Goodman, P.E.
Natural Resources Engineering Director

REFERENCES:

Allen, J.C., Iles, D.L., and Petres, A.K., 1985, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, Tasks 3A.B.C. and 4A.B.:

Groundwater Resource Inventory: South Dakota Department of Water and Natural Resources,

- Carter, J.M., Redden, J.A., 1999, Altitude of the Top of the Inyan Kara Group in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-744-A, 2 sheets, scale 1:100,000
- Cattermole, J.M., 1972, Geologic Quadrangle Map of the Rapid City Quadrangle, Pennington County, South Dakota: U.S. Geological Survey Geologic Quadrangle Maps of the United States, Map GQ-986, 1 sheet, scale 1:24000
- Driscoll, D.G., Carter, J.M., Williamson, J.E. and Putnam, L.D., 2002, Hydrology of the Black Hills Area, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 02-4094, 150 p.
- Strobel, M.L., Jarrell, G.J., Sawyer, J.F., Schleicher, J.R., and Fahrenbach, M.D., 1999, Distribution of Hydrogeologic Units in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-743, 3 sheets, scale 1:100,000
- Strobel, M.L., Galloway, J.M., Hamade, G.R., and Jarrell, G.J., 2000, Potentiometric Surface of the Inyan Kara Aquifer in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-745, 3 sheets, scale 1:100,000
- Water Rights, 2006a, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights, 2006b, "Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights, 2006c, "Water Permit Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2583-2, Carroll Korb**

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. 2583-2, Carroll Korb, PO Box 8088, Rapid City SD 57709..

The Chief Engineer is recommending APPROVAL of Application No. 2583-2 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.

Garland Erbele, Chief Engineer
June 15, 2006

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

Instruction to Newspaper - Publish first Notice on June 23, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2583-2 to Appropriate Water

Notice is given that Carroll Korb, PO Box 8088, Rapid City SD 57709 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second from one well to be completed into the Inyan Kara Formation (approximately 1100 feet deep) located in the SW ¼ NE ¼ Section 20-T1N-R8E. The water is for commercial use to serve two businesses.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2583-2 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 10, 2006.

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

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

June 15, 2006

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

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2583-2 to Appropriate Water to be published twice. Please publish the first notice on June 23, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Carroll Korb, PO Box 8088, Rapid City SD (Ph # 605-341-6500).

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. 2583-2

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

Date _____

We are in receipt of your letter of June 15, 2006 enclosing Notice to Appropriate Water by Application No. 2583-2 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

June 15, 2006

Carroll Korb
PO Box 8088
Rapid City SD 57709

Dear Mr. Kolb:

Water Permit Application No. 2583-2 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Rapid City Journal printed at Rapid City, SD (Ph # 605-394-8300). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and 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 and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the 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.



AUG 28 2008

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Carroll Korb
PO Box 8088
Rapid City SD 57709

Dear Mr. Korb:

Enclosed is Water Permit No. 2583-2 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

RECEIVED

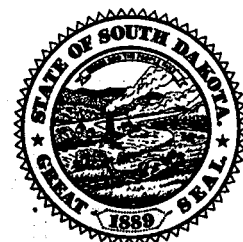
FEB 12 2007

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 2-7-07TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Quentin Danley (Plant Manager)
(name)
5400 Old Folsom Rd.
(address)
Rapid City SD 57203 605-348-7685
(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. 2583-2 states that the water use system is to be constructed by10-11-06, and water is to be put to beneficial use by 10-31-06.
(date) (date)The water use system was completed on 10-11-06.
(date)Applying the water to beneficial use was completed on 10-25-06.
(date)

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

AND
(signature)

SOUTH DAKOTA WATER WELL COMPLETION REPORT

2583-2

07-92

Location SE 1/4 NE 1/4 Sec 20 Twp 1N Rg 8E

County

North

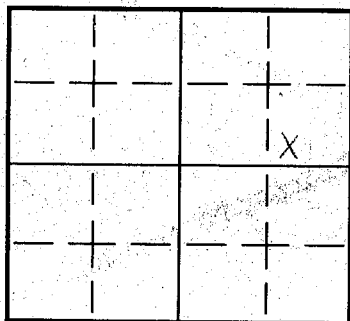
Pennington

Please mark well location with an "X"

W

E

Well Completion Date

10/11/06

1 Mile

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 200 ft. from Septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Mud RotaryCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>17 LB/FT</u>	<u>5.5 IN</u>	<u>±1.5 FT</u>	<u>1100 FT</u>	<u>7 7/8 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>PORTLAND</u>	<u>175</u>	<u>14 lb./gal</u>	<u>1100 ft.</u>	<u>0 ft.</u>

Describe grouting procedure PRESSURE grouted through casingSCREEN: ☒ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From 985 Feet to 1005 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: Chlorine

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: FORREST PRODUCTS

Business Name: _____

Address: 5400 Old Folsom Rd
Rapid City SD 57703

WELL LOG:

DEPTH

FORMATION

FROM

TO

<u>Tan clay</u>	<u>0</u>	<u>25</u>
<u>green shale</u>	<u>25</u>	<u>55</u>
<u>gray shale</u>	<u>55</u>	<u>520</u>
<u>yellow-tan sand</u>	<u>520</u>	<u>530</u>
<u>DARK gray shale</u>	<u>530</u>	<u>760</u>
<u>lt. gray shale / lt. gray sand</u>	<u>760</u>	<u>1130</u>

STATIC WATER LEVEL 99 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:

☐ PumpedDescribe: AIR Developed☐ Bailed☒ Other _____

Pumping Level Below Land Surface

920 ft. After 2 Hrs. pumped 15 GPM600 ft. After 2 Hrs. pumped 10 GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 705

And this report is true and accurate.

Drilling firm DAKOTA BICE LLCSignature of License Representative: [Signature]Signature of Well Owner or Equitable Property Holder: [Signature]Date: 2-5-07



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2007

Forrest Products
5400 Old Folsom Rd
Rapid City SD 57703

Dear Sir:

I am writing in regard to a well driller's report filed by Dakota Bice LLC. The report shows a new well has been completed on October 11, 2006 for your business. Based on the information in the report, you may need a water permit 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 March 1, 2007.

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

Karen Schlaak
Water Rights Program
karen.schlaak@state.sd.us

enclosures

*Covered under
Water Permit #NO
2583-2*



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 2007

2583-2

Forrest Products
Quentin Danley, Plant Manager
5400 Old Folsom Rd
Rapid City SD 57703

Dear Mr. Danley:

As stated in our phone conversation yesterday, enclosed is a partially completed "Notice of Transfer" form for use in filing a name/ownership change on Water Permit No. 2583-2. The water permit is currently listed in the name of Carroll Korb.

The transfer form should be completed, checked over for accuracy and **signed by the new owner.** Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 23, 2007

2583-2

Quentin Danley, Plant Manager
Forrest Products
5400 Old Folsom Rd
Rapid City SD 57703

Dear Mr. Danley:

I am writing in reference to Water Permit No. 2583-2 listed in the name of Carroll Korb (copy enclosed). In February, Karen Schlaak with our program, visited with you about the new well that was drilled and the need to have the water permit transferred to reflect current ownership. To date, we have not received anything back from you.

In the event you no longer have the original form, enclosed is an additional "Notice of Transfer of Ownership" form. Please complete as needed and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions concerning the permit or enclosed transfer form, please contact me.

Sincerely,

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

enclosures

Permit No. 2583-2
Upper Cheyenne River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

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

I have this day, **05 November 2007**, made a thorough examination of the water use system constructed by **Carroll Korb** of **PO Box 8088, Rapid City, SD. 57709** holder of Permit No. **2583-2**, bearing the priority of **12 April 2006** authorizing the diversion of **0.10** cu. ft. per second of the waters of **the Inyan Kara formation** for **commercial use**, in **Pennington** County.

Inspection contact & relationship
to permit holder, if applicable:

Quinton Danley
5400 Old Folsom Rd.
Rapid City, SD. 57703
Plant Manager 605-348-7685

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Dakota Bice LLC.**
- 2) No. of Wells **1**
- 3) Depth(s) **1130** feet
- 4) Well log is available **Y**
- 5) Comment:

Casing:

- 1) Diameter **5.5** inches
- 2) Length **1101.5** feet
- 3) Type **steel**

Screen:

- 1) Type **perforated pipe**
- 2) Length **20** feet
- 3) Static water level **99** feet

Pump:

- 1) Make **Howie**
- 2) Model **unknown**
- 3) Capacity **10-15** GPM

Motor:

- 1) Make unknown

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Exceptions to compliance are: none

The system is in good condition with the point(s) of diversion located as follows: SW ¼ NE ¼ Sec 20-T1N-R8E approximately 1406 feet south and 2608 feet west of the north east corner of section 20, N 44.03463 Latitude and W -103.18153 Longitude. 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 use.

The license should be issued for 0.033 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project: **The well is capable of producing approximately 15 gpm which is the minimum diversion required by the plant to operate certain equipment. Specific pump and motor information was not available at the time of the site visit and the rate of diversion was determined by interviewing the plant manager and by reviewing the well completion report filed by Dakota Bice LLC.**



Mark Costello
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 27 November 2007



South Dakota

2583-2

Carroll Korb
PO Box 8088
Rapid City, SD. 57709

South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today



Mark Costello

Mark Costello
Natural Resources Engineer
DENR, Water Rights
27 November 2007

0 500 1,000 2,000 3,000 4,000
Feet





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 12 2008

2583-2

Carroll Korb
PO Box 8088
Rapid City SD 57709

Dear Mr. Korb:

Enclosed is Water License No. 2583-2. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2583-2, 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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2583-2

(1) Carroll Korb, PO Box 8088, Rapid City SD 57709 made Application No. 2583-2, April 12, 2006 for a water permit to divert 0.10 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for commercial purposes. Permit No. 2583-2, with a priority date of April 12, 2006 was approved July 10, 2006 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 10, 2011 and for the application to beneficial use of water on or before July 10, 2015.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on February 12, 2007. The *Notice* stated the diversion system was completed on October 11, 2006 and the water placed to beneficial use on October 25, 2006.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 2583-2 is issued a license, bearing a priority date of April 12, 2006 to appropriate 0.033 cubic feet of water per second from groundwater (one well) for commercial purposes.

The diversion point is located: approximately 1,406 feet south and 2,608 feet west of the northeast corner of Section 20-T1N-R8E (SW ¼ NE ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 2583-2 including the following now applicable qualification:

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

Garland Erbele

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

FEB 12 2008

date

