

WATER PERMIT NO. 2657-2

Name of Applicant: Gwendolyn Zelfer

Address: 8507 Dunn Rd, Rapid City SD Phone: 605 993-6225

Amount of Water Claimed: 0.04 cfs Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial County: Pennington

Type of Waste Disposal System:

Location: southeast of Rapid City in Rapid Valley area

PRIORITY Date Received: 8-15-2010 Application/License Fee: \$300

Corrected Application Received: Period of Annual Use: Jan 1 – Dec 31

Remarks:

Diversion Point: NE ¼ SE ¼ Sec 24-T1N-R8E

Land to be Irrigated: NA

Depth of Well: 40 feet

Well Driller:

Remarks:

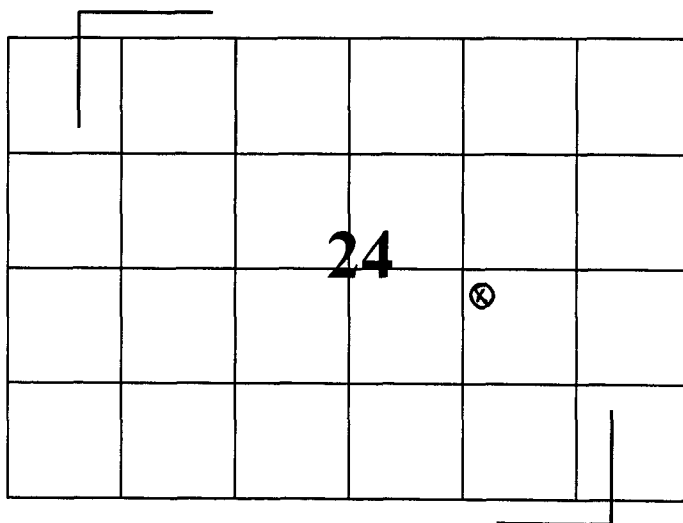
Type of Map: plat

Prepared by: Kale R McNaboe, PE

Reviewed and the Number Assigned on: 9-15-2010

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



RECEIVED
SEP 15 2010
WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>2657-2</u> (office use only) Hydrologic Unit <u>10120110</u>
	Basin <u>Upper Cheyenne</u>
	Newspaper <u>Rapid City Journal PO Box 450</u> <u>605-394-8300</u> <u>57709</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 <u>Domestic</u>	

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 Gwendolyn Zelfer Phone (605) 993-6225
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 8507 Dunn Rd Rapid City SD 57703
(Address) (City) (State) (Zip Code)
- Amount of water claimed 0.04 *CFS or 18 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Pennington
Sec. 24 T1N R8E
NE 1/4 SE 1/4 Penn.
- County or counties where water will be used Pennington
- Annual period during which water is to be used Year Round - 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)

Dog Boarding Kennel and home residence

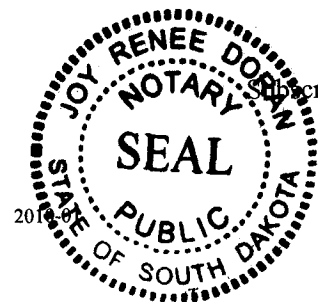
STATE OF SOUTH DAKOTA)
County of Pennington) SS

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

I, Gwendolyn Y. Zelfer, 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 Gwendolyn Y. Zelfer

Subscribed and sworn to before me this 14th day of September 20 10



[Signature]
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 2657-2

Date of first receipt of application September 15, 2010.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2657-2 to Gwendolyn Zelfer, 8507 Dunn Rd, Rapid City SD 57703 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. 2657-2 appropriates 0.04 cubic feet of water per second (18 gallons per minute) from one well to be completed into the Rapid Creek Alluvium (approximately 40 feet deep) located in NE 1/4 SE 1/4 Section 24-T1N-R8E.
2. The water appropriated shall be used for the purpose of commercial use 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. 2657-2 is November 15, 2010.
5. The date from which applicant may claim right is September 15, 2010.
6. One-fifth of the construction is to be completed on or before May 15, 2013.
7. All construction is to be completed on or before November 15, 2015.
8. Water is to be put to beneficial use on or before November 15, 2019.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 2657-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

DEC 09 2010
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8" Depth 40'
- b) Casing Type PVC Diameter 5 1/2" Thickness .250
- c) Screen Type slotted pipe Diameter 5 1/2" Thickness .250
- d) Gravel Pack 1/4" x 1/2" Length of Gravel Pack 20'
- e) Depth to Top of Water Bearing Material 6'
- f) Depth to Water (ground surface to water level) 6'
- g) Distance to nearest existing domestic well:
- On applicant's property 250' On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) holding tanks w/ alarms
- b) System Capacity (gallons) 2000 gallons Year Constructed 2010
- c) Connected to the City of _____ Sanitary System

3. Dugout Information

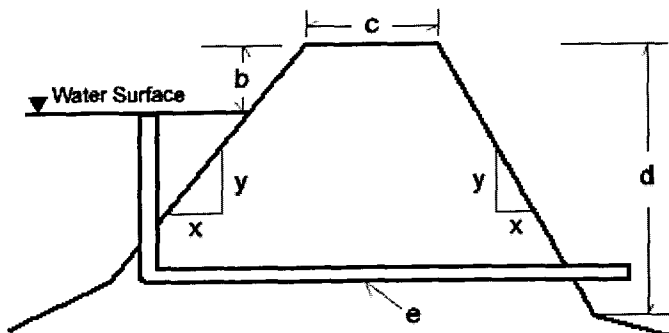
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

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 (e.g. 3 to 1 is a typical 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 9/15, 20 10

RECEIVED OF Triple ZZZ Boarding Kennel 8507 Dunn Rd Rapid City SD 57703

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

Fee for Application for Permit No. <u>2657-2</u> to Appropriate Water, to construct and to put water to beneficial use	100 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>2657-2</u>	200 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	300 00

No. **04613**

By Leland Erbe
Chief Engineer

September 14, 2010

Department of Environment & Natural Resources
PMB2020
Joe Foss Building
523 East Capitol
Pierre SD 57501-3182

Attn: Ken Buhler

Dear Ken,

This is a request for a test hole permit for Gwen Zelfer on the NE1/4SE1/4 of Section 24, T1N, R8E, Rapid City, Pennington County, South Dakota.

The estimated depth of the well will be 35' to 40', 8" hole, 5 1/2" PVC, Gravel packed to 20' and cemented to 6'.

The purpose of the well is for domestic use for one home and a dog kennel which will be for commercial use.

I spoke with Jim Goodwin on September 13, 2010 and he indicated it would be ok for me to begin drilling.

Thank You,



Mike Cameron
Cameron Drilling
PO Box 19
Black Hawk, SD 57718
(605) 787-6023
(605) 390-6824 cell



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 15, 2010

Mike Cameron
Cameron Drilling
P O Box 19
Black Hawk, SD 57718

Dear Mr. Cameron:

This is written notification of the verbal authorization approved via telephone on September 13, 2010 by James A. Goodman, P.E.

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well for the Gwen Zelfer prior to approval of a water permit. The test well will be located in the NE¼ SE¼ Section 24, T1N-R8E and is expected to be 35-40 feet deep. 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.

Authorization must be obtained before water from the well can be used. Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application; and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit.

Very truly yours,

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

Water Rights Program - File Documentation

NAME: Gwendolyn Zelfer

ADDRESS: 8507 Dunn Rd, Rapid City SD

DATE: 9-15-10 **COUNTY:** PE **TELEPHONE:** 605 993-6225

RE: Pending application

COMMENTS:

I called Gwendolyn Zelfer about the map submitted with her application. Ms. Zelfer stated the well marked on the bottom of the map is an existing well owned by a neighbor. They are presently getting their water from this well. The well location marked 150 feet northeast of the kennel is the location of the proposed well for commercial use.


Karen Schlaak
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2657-2, Gwendolyn Zelfer**

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. 2657-2, Gwendolyn Zelfer, 8507 Dunn Road, Rapid City SD 57703.

The Chief Engineer is recommending APPROVAL of Application No. 2657-2 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.
2. The well authorized by Permit No. 2657-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

See report on application for additional information.

Garland Erbele, Chief Engineer
October 15, 2010

WATER PERMIT APPLICATION NO.2657-2
GWENDOLYN ZELFER
OCTOBER 5, 2010

Water Permit Application No. 2657-2 proposes to appropriate 0.04 cubic feet of water per second (18 gallons per minute) from one well (approximately 40 feet deep) to be completed into the Rapid Creek Alluvial aquifer. The well will be located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, T1N-R8E. Water from the well will be used for commercial use.

AQUIFER: Rapid Creek Alluvium (ALQ)

The Rapid Creek Alluvium is a Quaternary aged alluvium that consists of sand, gravel and clay. The alluvium is restricted to the Rapid Creek flood plain and underlies approximately 7,900 acres between Canyon Lake and the well site proposed by this application (Martin and others, 2004), see figure 1.



Figure 1. Areal extent of the Rapid Creek Alluvium between Canyon Lake and the well site proposed by Application No. 2657-2: Modified from Martin and others (2004)

The alluvium can be considered an aquifer where there is sufficient saturated material to supply water to wells. The aquifer is generally under unconfined (water table) conditions. However, because the alluvium consists of interfingering layers of differing materials and permeability, ground water can occur under confined conditions (Rosier and Snell, 1953).

Groundwater movement in the alluvium is generally toward Rapid Creek and in a downstream direction. Recharge to the Rapid Creek Alluvium occurs through precipitation falling directly on the outcrop, from the creek and from irrigation losses.

The Rapid Creek Alluvium aquifer is hydraulically connected to Rapid Creek and groundwater withdrawals will deplete streamflow. Although the well site proposed by this application appears to be within approximately 550 feet of Rapid Creek, the diversion rate proposed by this application (18 gallons per minute) will not have a measurable impact to the flow in the creek. However, the natural flows of Rapid Creek are fully appropriated and the Chief Engineer would probably recommend denial of an application for 18 gpm directly from the creek (Rath, 2010).

In the matter of Water Permit No. 2142-2, the Water Management Board adopted Findings of Facts and Conclusions of Law that explicate that irrigation return flows in Rapid Valley are available for appropriation, or at least to satisfy downstream appropriators. Basically, groundwater return flows are considered part of the fully appropriated Rapid Creek system (Water Rights, 1991). Therefore the only groundwater in the Rapid Creek Alluvium aquifer that is available for appropriation is the water that would have occurred under natural conditions. At this time, the amount of groundwater available for appropriation (i.e. naturally occurring groundwater) has not been quantified.

Currently there are only two Water Rights/Permits appropriating water from the Rapid Creek Alluvium aquifer, they are: Water Right No. 2154-2, Federal Beef Processors (0.56 cfs) and; Water Right No. 2551-2, Pepsi Cola of the Black Hills (0.022 cfs). (Note: Water Right No. 2154-2 is probably subject to cancellation). If Water Permit Application No. 2657-2 is approved for 0.04 cfs, the combined appropriation from the aquifer would be less than 450 ac-ft/yr. A "natural" recharge rate of 0.68 in/yr over the approximately 7,900 acre surface of the alluvium extending from Canyon Lake to this proposed well site would be sufficient to support all of the groundwater appropriations from the Rapid Creek Alluvium aquifer. A recharge rate of 0.68 in/yr would be considered extremely conservative for this hydrologic setting. Therefore, there is a reasonable probability that unappropriated water is available to satisfy this appropriation.

The DENR-Water Rights Program monitors five observation wells completed into the alluvium along Rapid Creek. The nearest one (PE-98A) is located less than one mile from the well site proposed by this application. Hydrographs of the observation wells document that the aquifer reacts well to climatic conditions with higher water levels during wet years and lower water levels during dry periods.

REVIEW OF EXISTING WATER RIGHTS/PERMITS:

There are no existing water rights/permits appropriating water from the Rapid Creek Alluvium in this immediate area. The nearest appropriation from the alluvium is located over four miles from the well site proposed by this application. Well interference is not expected to be a concern due to the low diversion rate and the small volume of water that is requested by this application.

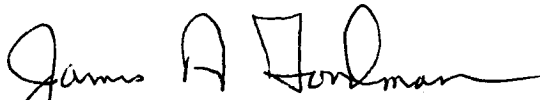
CONCLUSIONS:

1. The Rapid Creek Alluvium is a viable aquifer in this area.
2. Unappropriated water is available from the alluvium for this appropriation.
3. The aquifer is under unconfined conditions in this area and well interference should not be significant and certainly not adverse.



Ken Buhler

Approved by



James A. Goodman, P.E.

REFERENCES:

- Martin, J.E., Sawyer, J.F., Fahrenbach, M.D., Tomhave, D.W., Schultz, L.D., 2004,
Geologic map of South Dakota: S.D. Geological Survey General Map 10, Scale
1:500,000
- Rath, M.D., SD DENR-Water Rights Program, Surface Water Section, Personal interview. 7
October 2010
- Rosier, A.J., and Snell, L.J., 1953, Ground-water resources of the Rapid Valley unit,
Cheyenne Division, South Dakota, with a section on the surface waters of Rapid
Valley: U.S. Geological Survey Circular 201, 32 p.
- Water Rights, 1991, Findings of Fact, Conclusions of Law and Final Decision in the matter
of Water Permit Application No. 2142-2: SD DENR-Water Rights Program
- Water Rights Program, 2010a, Observation Well Files, DENR-Water Rights Program, Joe
Foss Building, Pierre, SD 57501
- Water Rights Program, 2010b, Water Permit/Right Files, DENR-Water Rights Program, Joe
Foss Building, Pierre, SD 57501
- Water Rights Program, 2010c, Well Completion Report Files, DENR-Water Rights
Program, Joe Foss Building, Pierre, SD 57501

RECEIVED

NOV - 5 2010

WATER RIGHTS
PROGRAM

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:

October 27, 2010

November 3, 2010

Cost of Printing Ninety-nine dollars and

seventy-six cents (\$99.76)

Patricia K. Van Patten
 (Signature)

Legal Advertising Rep.
 (Title)

11/03/10
 (Date Signed)

Oct. 27, Nov. 3 L20521034

**NOTICE OF APPLICATION
 NO. 2657-2**

TO APPROPRIATE WATER

Notice is given that Gwendolyn Zelfer, 8507 Dunn Rd., Rapid City SD 57703, has filed an application for a water permit to appropriate 0.04 cubic feet of water per second (18 gallons per minute) from one well to be completed into the Rapid Creek Alluvium (approximately 40 feet deep) located in NE1/4 SE1/4 Section 24-T1N-R8E for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2657-2 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 this 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 this 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 November 15, 2010.

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.

(Published twice at the total approximate cost of \$99.76.)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

October 15, 2010

Rapid City Journal
PO Box 450
Rapid City SD 57709

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2657-2 to Appropriate Water to be published twice. Please publish the first notice on October 25, 2010 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 Gwendolyn Zelfer, 8507 Dunn Rd., Rapid City SD 57703 (Ph # 605-993-6225).

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. 2657-2

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

Date _____

We are in receipt of your letter of October 15 2010 enclosing Notice to Appropriate Water by Application No. 2657-2 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
denr.sd.gov

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

October 15, 2010

Gwendolyn Zelfer
8507 Dunn Rd
Rapid City SD 57703

Dear Ms. Zelfer:

Water Permit Application No. 2657-2 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 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
eric.gronlund@state.sd.us

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.

Instruction to Newspaper - Publish first Notice on October 27, 2010 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 2657-2 to Appropriate Water

Notice is given that Gwendolyn Zelfer, 8507 Dunn Rd, Rapid City SD 57703 has filed an application for a water permit to appropriate 0.04 cubic feet of water per second (18 gallons per minute) from one well to be completed into the Rapid Creek Alluvium (approximately 40 feet deep) located in NE 1/4 SE 1/4 Section 24-T1N-R8E for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2657-2 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 this 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 this 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 November 15, 2010.

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Published twice at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

DEC 09 2010

Gwendolyn Zelfer
8507 Dunn Road
Rapid City SD 57703

Dear Ms. Zelfer:

Enclosed is Water Permit No. 2657-2 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

2657-2
RECEIVED

JAN 18 2011

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 1-14-11TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Gwendolyn Zelfer
(name)
8507 Dunn Rd
(address)
Rapid City, SD 57703 (605) 393-9554
(city, state, zip) (phone)
(605) 993-6225

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.

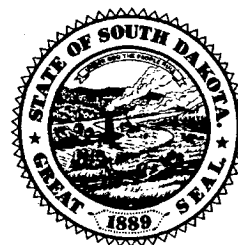
Water Permit No. 2657-2 states that the water use system is to be constructed by 1-11-11, and water is to be put to beneficial use by 11-15-15.
(date) (date)

The water use system was completed on 1-11-11.
(date)

Applying the water to beneficial use was completed on 1-11-11.
(date)

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

Gwendolyn Zelfer
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 2011

2657-2

Gwendolyn Zelfer
8507 Dunn Rd
Rapid City SD 57703

Dear Ms. Zelfer:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with the water use system authorized by Water Permit No. 2657-2.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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