

WATER PERMIT NO. 2673-2

Name of Applicant: Diocese of Rapid City & St. Elizabeth Seton Central School

Address: 606 Cathedral Drive Phone: 605 343-3541

Amount of Water Claimed: 0.044 cfs (20 gpm) Total Acres: no add'l

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: PE

Type of Waste Disposal System:

Location: north of Rapid City along Sturgis Road between Rapid City and Blackhawk

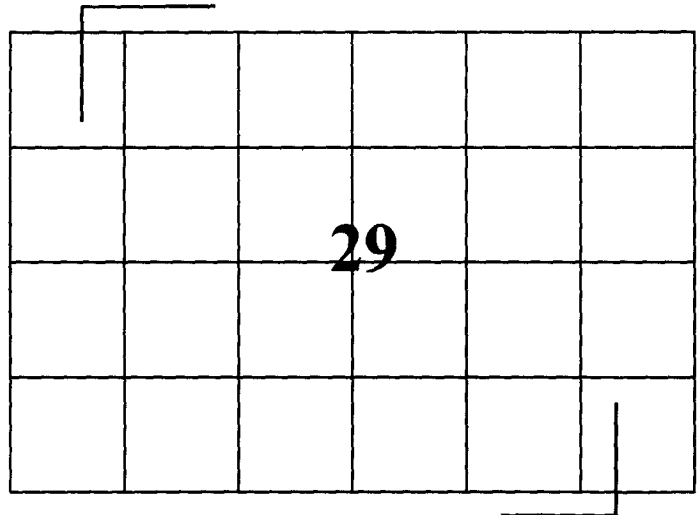
PRIORITY Date Received: 9-2-11 Application/License Fee: \$100

Corrected Application Received: Period of Annual Use: January 1 – December 31

Remarks: Increases the diversion rate authorized by Water Permit No. 2669-2

Diversion Point: SE ¼ NW ¼ Sec 29-T2N-R7E

Land to be Irrigated: E ½ NW ¼ Sec 29-T2N-R7E



Depth of Well: 900 feet deep

Well Driller:

Remarks:

Type of Map:

Prepared by:

Reviewed and the Number Assigned on: 9-7-11

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

RECEIVED
SEP - 2 2011
WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	(office use only)	
	No. <u>21673-2</u>	Hydrologic Unit <u>10120/11</u>
	Basin <u>Upper Cheyenne</u>	
	Newspaper <u>Rapid City Journal PO Box 450</u>	
	<u>605-394-8300</u>	<u>57201</u>

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 2669-2
(Use predates Mar 2, 1955)

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

Increase the diversion rate authorized by Water Permit No. 2669-2 from 45 gpm to 65 gpm

1. Name of Applicant Diocese of Rapid City & St. Elizabeth Seton Central School Phone 605 343-3541
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 606 Cathedral Drive Rapid City SD 57701
(Address) (City) (State) (Zip Code)

2. Amount of water claimed 0.044 CFS or 20 add'l **GPM ***AF Total Acreage 7
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply groundwater (Madison Formation)

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Pennington
SE 1/4 NW 1/4 Section 29-T2N-R7E

5. County or counties where water will be used Pennington

6. Annual period during which water is to be used May 1 - October 15

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
E 1/2 NW 1/4 Section 29-T2N-R7E	7		

8. Give a description of 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. Also, attach map and any other technical information. (see instructions)

I, Leon Lunders, 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

Subscribed and sworn to before me this 29th day of August 20 11

Kathy A. Cordes
Notary Public signature

Pennington County

**SOUTH DAKOTA
WATER PERMIT NO. 2673-2**

Date of first receipt of application September 2, 2011.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2673-2 to Diocese of Rapid City & St. Elizabeth Seton Central School, 606 Cathedral Drive, Rapid City SD 57701 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. 2673-2 authorizes increasing the diversion rate authorized by Water Permit No. 2669-2. Water Permit No. 2669-2 appropriates 0.1 cubic feet of water per second from one well to be completed into the Madison Formation (950 feet deep) located in SE ¼ NW ¼ Section 29 to irrigate 7 acres located in the E ½ NW ¼ Section 29; all in T2N-R7E. This permit increases the water appropriation from 0.1 cfs (45 gallons per minute) by an additional 0.044 cfs (20 gallons per minute) for a total appropriation of 0.144 cfs (65 gallons per minute) from the one well.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – October 15.
3. The date from which applicant may claim right is September 2, 2011 (additional 20 gallons per minute).
4. The date of approval of Permit No. 2673-2 is November 16, 2011.
5. One-fifth of the construction is to be completed on or before May 16, 2014.
6. All construction is to be completed on or before November 16, 2016.
7. Water is to be put to beneficial use on or before November 16, 2020.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 2673-2 is issued for a twenty year term. Pursuant to SDCL 46-2A-21, the twenty year term may be deleted at any time during the twenty year period or following its expiration. If the twenty year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 2673-2 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1 and ARSD 74:02:01:37.
2. The well approved 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.

(continued)

3. The well authorized by Permit No. 2673-2 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.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
5. The Permit Holder shall control withdrawals from the well so there is not a significant adverse effect on the water flow from area springs or a significant adverse effect on the water quality and character in area springs.

WATER MANAGEMENT BOARD

By: Garland Erbele

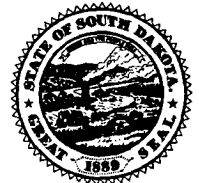
Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

JAN 10 2012

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 3/4" / 6 1/4" Depth 950'
- b) Casing Type STEEL Diameter 2" OD Thickness .317 wall
- c) Screen Type NA Diameter _____ Thickness _____
- d) Gravel Pack NA Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 740'
- f) Depth to Water (ground surface to water level) EST. 50-100'
- g) Distance to nearest existing domestic well:

On applicant's property NONE

On property owned by others 400 yds.
(230' deep)

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) NA
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

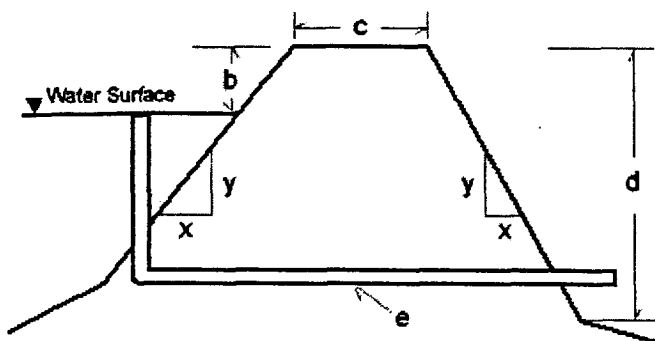
3. Dugout Information

- a) Surface Dimensions NA 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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 29 Twp 2N Rg 7E

County Pennington

Please mark well location with an "X"

Well completion Date

8-19-2011

Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? - ft. from No Source (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary - Air & Mud

CASING DATA:

- ☒ Steel ☐ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
36 LB/FT	9 5/8 IN	0 FT	17 FT	13 1/2 IN
23 LB/FT	7 IN	+2 FT	770 FT	8 3/4 IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Portland	12	14 Lb/gal	0 Ft	17 Ft
Portland	170	14 Lb/gal	0 Ft	770 Ft

Describe grouting procedure Pressure grout through casing

SCREEN:

- ☐ Perforated pipe ☐ Manufactured

Diameter _____ Inches Length _____ Feet

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED?

- ☐ Yes ☒ No

If so, what material? _____

Describe packer(s) and location _____

DISINFECTION: Was well disinfected upon completion?

- ☒ Yes, How? Chlorine Solution

- ☐ No, Why Not? _____

Lab sample sent to for water quality analysis

Well Owner: St. Elizabeth Seton School

Business Name: Diocese of Rapid City

Address1: 606 Cathedral Dr.

Address2: _____

City, State, Zip: Rapid City, SD 57701

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil & Fill	0	12
Minnekahta	12	55
Opeache	55	178
Minnelusa	178	728
Madison	728	835

STATIC WATER LEVEL 95 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: Air Developed

☐ Bailed

☒ Other

Pumping Level Below Land Surface

835 Ft. After 2 Hrs. pumped 500+ GPM

500 Ft. After 5 Hrs. pumped 400-500 GPM

200 ft. 1 hr 150 GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

SEP 16 2011

WATER RIGHTS
PROGRAM

This well was drilled under license # 331

And this report is true and accurate.

Drilling firm: Taylor Drilling Co.

Signature of License Representative: K Tyl

Signature of Well Owner or Equitable Property Holder: _____

Date: 9-14-2011

Please return **WHITE COPY** to: DENR Water Rights, 523 E. Capitol Ave., Pierre SD 57501

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/6, 20¹¹

RECEIVED OF The Diocese of Rapid City PO Box 678 Rapid City SD 57709

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

Fee for Application for Permit No. <u>2673-2</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. _____		
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. **05022**

By *Laurel Erbe*
Chief Engineer



**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. 2673-2, Diocese of Rapid City and St. Elizabeth Seton Central School Corp.**

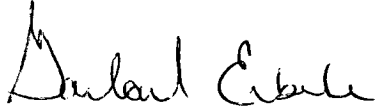
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 2673-2, Diocese of Rapid City and St. Elizabeth Seton Central School Corp., c/o Leon Lunders, 606 Cathedral Drive, Rapid City SD 57701.

The Chief Engineer is recommending APPROVAL of Application No. 2673-2 for a 20 year term pursuant to SDCL 46-1-14 and 46-2A-20 because 1) although evidence is not available to justify issuing this permit without a 20 year term limitation, 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. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 2673-2 is issued for a twenty year term. Pursuant to SDCL 46-2A-21, the twenty year term may be deleted at any time during the twenty year period or following its expiration. If the twenty year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 2673-2 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1 and ARSD 74:02:01:37.
2. The well approved 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.
3. The well authorized by Permit No. 2673-2 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.

4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
5. The Permit Holder shall control withdrawals from the well so there is not a significant adverse effect on the water flow from area springs or a significant adverse effect on the water quality and character in area springs.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "Garland Erbele". The signature is written in a cursive, flowing style.

Garland Erbele, Chief Engineer
September 20, 2011

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 2673-2
DIOCESE OF RAPID CITY & ST. ELIZABETH SETON CENTRAL SCHOOL
SEPTEMBER 14, 2011

Water Permit No. 2669-2, which was approved September 2, 2011, appropriates 0.1 cfs from a well to be completed in the SE ¼ NW¼ Section 29, T2N-R7E, into the Madison aquifer. Water from the well is to be used to irrigate seven acres located in the E ½ NW¼ Section 29, T2N-R7E. Water Permit Application No. 2673-2 proposes to increase the appropriation from the well authorized by Water Permit No. 2669-2 from 0.1 cfs to 0.144 cfs.

AQUIFER: Madison aquifer (MDSN)

DISCUSSION:

The well authorized by Water Permit No. 2669-2 has recently been completed and reportedly produced over 500 gallons per minute (gpm) when developed with air from its terminal depth (835 feet below grade). Water Permit Application No. 2673-2 proposes to increase the maximum diversion rate authorized for the well from 0.1 cfs (45 gpm) to 0.144 cfs (65 gpm). This application does not propose any additional uses for the water nor an addition of acres to be irrigated. The volume of water that can be diverted annually from this well will remain limited to 14 acre-feet per year. Approval of this application will not alter the total amount of water that is appropriated from the Madison aquifer.

The report to the Chief Engineer for Water Permit Application No. 2669-2 (Buhler, 2011) discusses the potential affects of diversions from a well completed into the Madison aquifer in this area. There have not been any new appropriations from the Madison in this area since Water Permit Application No. 2669-2 was considered and the analysis remains valid except for the fact that this application would allow an additional 20 gallons per minute diversion rate from the well.

The well that is to be used to supply water for Water Permit No. 2669-2 and Water Permit No. 2673-2 (if approved), reportedly is capable of producing over 500 gpm when developed with air. The well produced 400-500 gpm when air developed from a depth of 500 feet below grade, and produced 150 gpm when air developed from a depth of 200 feet below grade (Taylor). Since the static water level of the well was reported to be 95 feet below grade, the specific capacity of the well would be at least $(150 \text{ gpm}/105 \text{ feet of drawdown}) = 1.428$ gallons per minute per foot of drawdown (gpm/ft). The transmissivity for the Madison aquifer estimated from the well's specific capacity is 2,856 gal/day/ft ("Transmissivity From Specific Capacity").

The increased drawdown that would result from the additional 20 gpm proposed by this application can be expected to be less than 14 feet based on the specific capacity of the well. Using the Jacob's straight line method of representing drawdown at distance from a well, a plot of a Distance-Drawdown Curve for a diversion rate of 65 gallons per minute from this well (combined authority of Water Permit Nos. 2669-2 and 2673-2) is shown in figure 1.

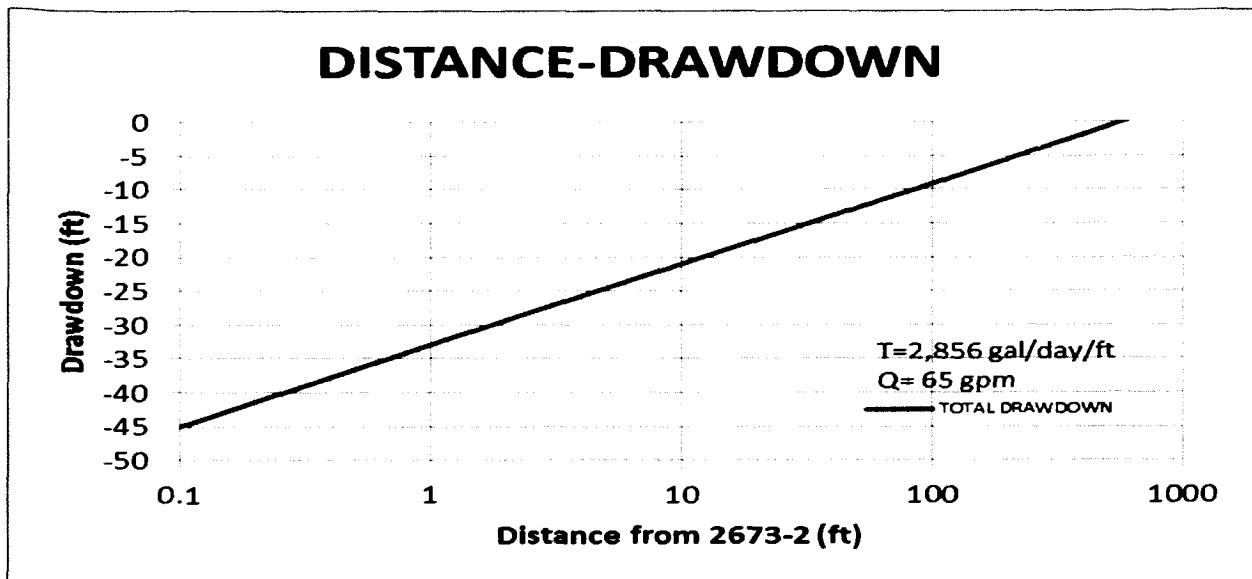


Figure 1. Distance-Drawdown plot for Water Permit Application No. 2673-3.

The distance-drawdown plot indicates that for distances greater than 100 feet from this production well, the drawdown created with a pumping rate of 65 gpm would be less than 9 feet. Considering the distances to existing wells and area springs (Buhler, 2011), well interference created by a diversion rate of 65 gpm will not be adverse in this area. This is especially the case when considering the Madison is under artesian conditions, (the top of the Madison aquifer is 728 feet below grade at this well site (Taylor), therefore there is approximately 633 feet of artesian head pressure at this site), and further recognizing that there is over 60 feet of natural fluctuation of the potentiometric surface of the Madison fluctuates in this area (Buhler, 2011).

CONCLUSIONS:

1. Application No. 2673-2 does not propose to appropriate any additional water from the Madison aquifer.
2. This application proposes to increase the diversion rate authorized from a well by 20 gallons per minute.
3. Approval of this application will not adversely impact existing wells, existing water rights/permits or area springs.

Ken Buhler
SD DENR-Water Rights Program
Approved by

James A. Goodman
SD DENR-Water Rights Program

REFERENCES:

Buhler, K.A., 2011, "Report for Water Permit Application No. 2669-2", DENR-Water Rights Program Agency File for Water Permit No. 2669-2: SD DENR-Water Rights Program, Pierre, SD

Taylor, Kim. President, Taylor Drilling, Inc. Personal interview. 14 Sept. 2011

"Transmissivity from Specific Capacity." Aquifer Test Forum sponsored by HydroSOLVE, Inc. 15 September 2011 < <http://www.aqtesolv.com/forum/transcap.asp>



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 20, 2011

Rapid City Journal
PO Box 450
Rapid City SD 57709

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2673-2 to Appropriate Water to be published twice. Please publish the first notice on September 28, 2011 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 Diocese of Rapid City & St. Elizabeth Seton Central School Corp. c/o Leon Lunders, 606 Cathedral Dr., Rapid City SD 57701 (Ph # 605-343-3541).

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. 2673-2

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

Date _____

We are in receipt of your letter of September 20, 2011 enclosing Notice to Appropriate Water by Application No. 2673-2 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.

September 20, 2011

Diocese of Rapid City & St Elizabeth Seaton Central School Corp
Leon Lunders
606 Cathedral Dr
Rapid City SD 57701

Dear Mr. Lunders:

Water Permit Application No. 2673-2 for irrigation 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 September 28, 2011 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. 2673-2 to Appropriate Water
And Amend Water Permit No. 2669-2

Notice is given that the Diocese of Rapid City & St. Elizabeth Seton Central School Corp., c/o Leon Lunders, 806 Cathedral Drive, Rapid City SD 57701 has filed an application to increase the diversion rate authorized by Water Permit No. 2669-2. Water Permit No. 2669-2 appropriates 0.1 cubic feet of water per second from one well to be completed into the Madison Formation (950 feet deep) located in SE ¼ NW ¼ Section 29 to irrigate 7 acres located in the E ½ NW ¼ Section 29; all in T2N-R7E. This application proposes to increase the water appropriation from 0.1 cfs (45 gallons per minute) by an additional 0.044 cfs (20 gallons per minute) for a total appropriation of 0.144 cfs (65 gallons per minute) from the one well.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2673-2 subject to a 20-year term limitation because 1) although evidence is not available to justify issuing the permit without a 20 year term limitation, there is reasonable probability that there is unappropriated water available, 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. 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 October 17, 2011.

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_____.

Schlaak, Karen

From: Schlaak, Karen
Sent: Thursday, October 20, 2011 11:30 AM
To: 'Rapid City Journal (legals@rapidcityjournal.com)'
Subject: Notice for Application No. 2673-2, Diocese of Rapid City

Contacts: Rapid City Journal

Karina or Brandon,
Could you send me the affidavit for the Notice for Application No. 2673-2, Diocese of Rapid City which was to be published on September 28 and October 5th.

Thanks,

Karen Schlaak
Water Rights Program
Phone: 605 773-3352
Fax: 605 773-4068

*Called for aff
10/18/11
left message - no return call
10/20/11
keep getting voicemail*

NOTICE OF APPLICATION NO.

2673-2 to Appropriate Water

And Amend Water Permit No. 2669-2

Notice is given that the Diocese of Rapid City & St. Elizabeth Seton Central School Corp., do Leon Lunders, 806 Cathedral Drive, Rapid City SD 57701 has filed an application to increase the diversion rate authorized by Water Permit No. 2669-2. Water Permit No. 2669-2 appropriates 0.1 cubic feet of water per second from one well to be completed into the Madison Formation (950 feet deep) located in SE 1/4 NW 1/4 Section 29 to irrigate 7 acres located in the E 1/2 NW 1/4 Section 29; all in T2N-R7E. This application proposes to increase the water appropriation from 0.1 cfs (45 gallons per minute) by an additional 0.044 cfs (20 gallons per minute) for a total appropriation of 0.144 cfs (65 gallons per minute) from the one well.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2673-2 subject to a 20-year term limitation because 1) although evidence is not available to justify issuing the permit without a 20 year term limitation, there is reasonable probability that there is unappropriated water available, 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. 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 October 17, 2011.

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 Erle Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pieter, Secretary, Department of Environment and Natural Resources.

(Published twice at the total approximate cost of \$125.28).

RECEIVED

OCT 21 2011

WATER RIGHTS PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington

SS:

Carina Tyler being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof; at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each

Week for two successive weeks, the first publication there of being on the Twenty eighth day of Sept. 2011 that the fees charged for the publication there of are One hundred twenty five dollars and Twenty eight cents.

Carina Tyler

Subscribed and sworn to before me this 20th day of October, 2011.

Lorraine K. Cummings

Notary public

Dec. 18, 2016

My commission expires



Schlaak, Karen

From: Schlaak, Karen
Sent: Tuesday, October 25, 2011 8:57 AM
To: 'Rapid City Journal (legals@rapidcityjournal.com)'
Subject: FW: Notice on Application No. 2673-2, Diocese of Rapid City
Attachments: 2673-2notice.doc

Carina,

Attached is text for the Notice on Application No. 2673-2 to Appropriate Water for the Diocese of Rapid City.

This Notice was originally published September 28 and October 5, 2011 in your paper. In the first paragraph, the location of the 7 acres to be irrigated was described as "E ½ NW 'A' Section 29....". Therefore, the notice needs to be readvertised to include the correct legal description for the acreage.

Please publish this notice again on October 28th and November 4th.

Letter and information being mailed today.

Thanks,

Karen Schlaak
Water Rights Program
Phone: 605 773-3352
Fax: 605 773-4068



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 25, 2011

Rapid City Journal
PO Box 450
Rapid City SD 57709

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2673-2 to Appropriate Water to be published twice. Please publish the first notice on October 28, 2011 with the second publication 7 days later. *The text of the notice has been e-mailed to your paper.*

This Notice was originally published September 28 and October 5, 2011 in your paper (copy of affidavit enclosed). In the first paragraph the location of the 7 acres to be irrigated is described as "E ½ NW 'A' Section 29....". Therefore, the notice needs to be readvertised to include the correct legal description for the acreage.

It is important to 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.**

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 2673-2

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

Date _____

We are in receipt of your letter of October 25, 2011 enclosing Notice to Appropriate Water by Application No. 2669-2 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

October 25, 2011

Diocese of Rapid City & St Elizabeth Seaton Central School Corp
Leon Lunders
606 Cathedral Dr
Rapid City SD 57701

Dear Mr. Lunders:

The Notice for Water Permit Application No. 2673-2 was published with an error. In the first paragraph, the location of the 7 acres to be irrigated is described as "E ½ NW 'A' Section 29....". Therefore, the notice needs to be readvertised to include the correct legal description for the acreage. The notice has been sent to the Rapid City Journal to be published again on October 28th and November 4th. Enclosed is a copy of the notice to be republished and the affidavit with the error marked.

The legal description in the public notice needs to be correct to insure the water permit has legal standing.

Please contact us if you have any questions.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

Instruction to Newspaper - Publish first Notice on October 28, 2011 and November 4, 2011.
The text of the notice has been e-mailed to your paper.

NOTICE OF APPLICATION NO. 2673-2 to Appropriate Water
And Amend Water Permit No. 2669-2

Notice is given that the Diocese of Rapid City & St. Elizabeth Seton Central School Corp., c/o Leon Lunders, 806 Cathedral Drive, Rapid City SD 57701 has filed an application to increase the diversion rate authorized by Water Permit No. 2669-2. Water Permit No. 2669-2 appropriates 0.1 cubic feet of water per second from one well to be completed into the Madison Formation (950 feet deep) located in SE 1/4 NW 1/4 Section 29 to irrigate 7 acres located in the E1/2 NW 1/4 Section 29; all in T2N-R7E. This application proposes to increase the water appropriation from 0.1 cfs (45 gallons per minute) by an additional 0.044 cfs (20 gallons per minute) for a total appropriation of 0.144 cfs (65 gallons per minute) from the one well.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2673-2 subject to a 20-year term limitation because 1) although evidence is not available to justify issuing the permit without a 20 year term limitation, there is reasonable probability that there is unappropriated water available, 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. 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 16, 2011.

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 _____.

Oct. 28 Nov. 4 L20633786
NOTICE OF APPLICATION NO. 2673-2 to Appropriate Water And Amend Water Permit No. 2669-2
Notice is given that the Diocese of Rapid City & St. Elizabeth Seton Central School Corp., c/o Leon Lunders, 806 Cathedral Drive, Rapid City SD 57701 has filed an application to increase the diversion rate authorized by Water Permit No. 2669-2. Water Permit No. 2669-2 appropriates 0.1 cubic feet of water per second from one well to be completed into the Madison Formation (950 feet deep) located in SE 1/4 NW 1/4 Section 29 to irrigate 7 acres located in the E1/2 NW 1/4 Section 29; all in T2N-R7E. This application proposes to increase the water appropriation from 0.1 cfs (45 gallons per minute) by an additional 0.044 cfs (20 gallons per minute) for a total appropriation of 0.144 cfs (65 gallons per minute) from the one well.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2673-2 subject to a 20-year term limitation because 1) although evidence is not available to justify issuing the permit without a 20 year term limitation, there is reasonable probability that there is unappropriated water available, 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. 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 16, 2011.

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 \$125.28.



Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington SS:

Carina Tyler being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each week for two successive

weeks, the first publication there of being on the Twenty eighth day of Oct. 20, 11 that the fees charged for the publication there of are One hundred twenty five dollars and twenty eight cents.

Carina Tyler
Subscribed and sworn to before me this 4th day of November, 2011.

Lorraine K. Cummings
Notary public
Dec. 18, 2016
My commission expires

RECEIVED
NOV 08 2011
WATER RIGHTS PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 10 2012

Diocese of Rapid City & St Elizabeth Seaton Central School
Leon Lunders
606 Cathedral Dr
Rapid City SD 57701

Dear Mr. Lunders:

Enclosed is Water Permit No. 2673-2 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

2673-2
RECEIVED

JAN 18 2012

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 1-17-2012TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Diocese of Rapid City & St. Elizabeth Seton Central School Corp.
Leon Lunders (name)
606 Cathedral Dr. (address)
Rapid City SD 57701 (city, state, zip) 605-343-3541 (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.

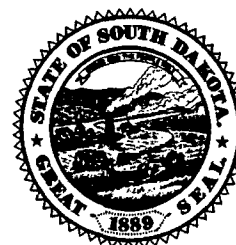
Water Permit No. 2673-2 states that the water use system is to be constructed by November 16, 2016, and water is to be put to beneficial use by November 16, 2020.
(date) (date)

The water use system was completed on August 19, 2011.
(date)

Applying the water to beneficial use was completed on January 17, 2012.
(date)

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

Leon Lunders
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

February 2, 2012

2669-2

2673-2

Leon Lunders
Diocese of Rapid City
St Elizabeth Seton Central School Corporation
606 Cathedral Dr
Rapid City SD 57701

Dear Mr. Lunders:

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.

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 the project and the staff inspection has no bearing on your water permits. Someone from our office will contact you prior to the inspection to set up a time that is convenient for you.

Prior to sending in the completion form, I spoke with you on the phone concerning the permits. At that time you were thinking that one of the permits was a duplication and not needed. I reviewed the permits and both are needed. Water Permit No. 2669-2 was the first permit and authorized use of water from the Madison well for irrigation of 7 acres. Water Permit No. 2673-2 was obtained to increase the diversion rate from the same well. When the project is inspected and licensed, the two permits will be then be incorporated together and one license will be issued.

I am returning the original copies of the permits to you. They are for your records. If you have any questions, please contact me.

Sincerely,

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

Permit No. 2673-2
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 on this day, 6/4/2012 thorough examination of the water use system constructed by Diocese of Rapid City & St. Elizabeth Seton Central School, 606 Cathedral Drive, Rapid City, SD 57701 holder of Permit No. 2673-2, bearing the priority date of September 2, 2011 and May 27, 2011 (established by Permit No. 2669-2). Permit No. 2673-2 proposes to increase the diversion rate and annual volume diverted from the well authorized by Water Right No. 2669-2. Water Right No. 2669-2 appropriates 0.1 cfs (45 gallons per minute). This permit increases the water appropriation from 0.1 cfs to a total of 0.144 cfs from the same well (Madison Aquifer) for irrigation, in Pennington County.

Inspection contact and relationship to
permit holder, if applicable:

Leon,
Operator

A. Works used to divert the water:

Goulds submersible pump – 55 gpm capacity (0.12 cfs).

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

Underground distribution lines.

The system is in the following condition good. The point of diversion (well) is located specifically at Lat/Lon – N44.105804/W-103.305574 which is the approximately 2000 feet south and 1700 feet east of the NW corner of Section 29, T2N-R7E. The works are capable of diverting 0.12 cfs which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

Section 29, T2N-R7E

NE¼ NW¼ - 4.0 acres

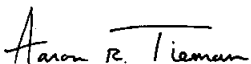
SE¼ NW¼ - 3.0 acres

Comprising a total of 7.0 acres of land and the license should be issued for 0.12 cfs.

All structures, wells and lands on map Y

Exceptions to compliance are: none.

Comments: Increases the diversion rate authorized by Water Permit No. 2669-2. Combined 2669-2 and 2673-2 will have a total appropriation of 0.12 cfs (55 gpm). The applicable portions of Water Permit No. 2669-2 will be incorporated into No. 2673-2.



Aaron Tieman
Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: June 27, 2013

FIELD INVESTIGATION REPORT FOR TEMPORARY PERMIT NO. 2673-2

DATE OF INVESTIGATION:	June 4, 2012
NAME & ADDRESS OF PERMIT HOLDER	Diocese of Rapid City & St. Elizabeth Seton 606 Cathedral Drive Rapid City, SD 57701
INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Leon (Operator)
DIVERSION POINT LEGAL LOCATION	SE½ NW¼ Section 29, T2N-R7E
WATER SUPPLY SOURCE	Ground water, Madison Aquifer

Other permit(s) associated with the project:

WELL INFORMATION:

- 1) Well Drilling Firm: **Taylor Drilling**
- 2) No. of Wells **One**
- 3) Depth(s) **835** feet
- 4) Well log is available **yes**
- 5) Comment:

Casing:

- 1) Diameter: **9⁵/₈** inches Diameter: **7** inches
- 2) Length: **17** feet Length: **768** feet
- 3) Type: **Steel** Type: **Steel**

4) Screen:

- 1) Type: **N/A- Open Hole**
- 2) Length: **N/A** feet
- 3) Static water level: **N/A**

Pump:

- 1) Make: **Goulds**
- 2) Model: **55GS100**
- 3) Capacity: **55** GPM

Motor:

- 1) Make: **Franklin**
- 2) Model No.: **225836**
- 3) Horsepower rating: **10** hp

DISTRIBUTION LINES OR CANALS:

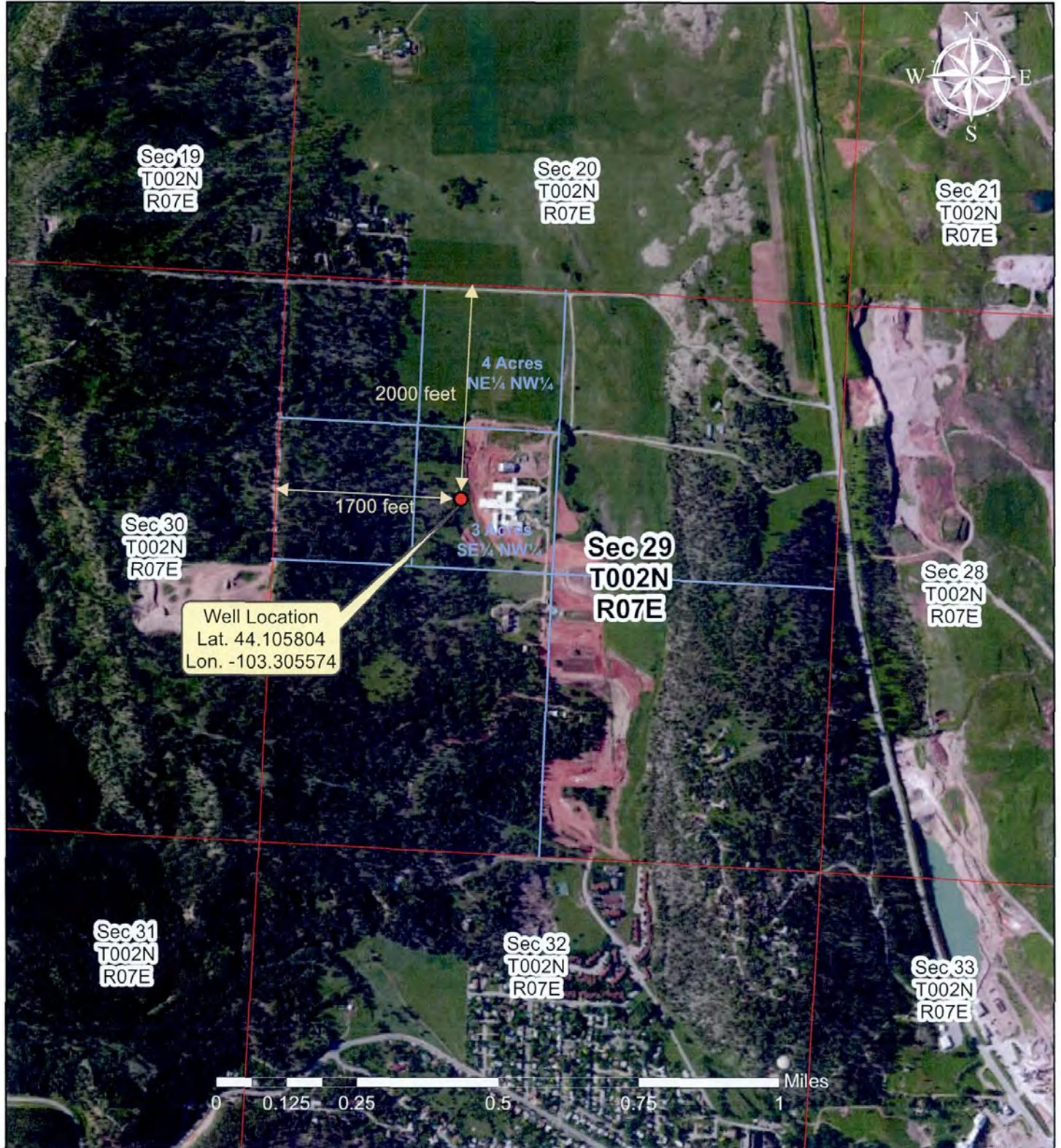
- 1) Type: **Underground distribution lines.**

PERMIT QUALIFICATIONS:

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

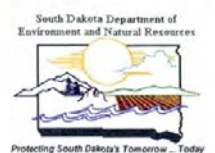
COMMENTS:

Water Right 2673-2
Diocese of Rapid City & St Elizabeth Seton Central School
June 27, 2013



Aaron R. Tieman

Aaron Tieman
Natural Resources Engineer II
DENR Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

JUL 05 2013

2669-2
2673-2

Leon Lunders
Diocese of Rapid City &
St Elizabeth Seton Central School
606 Cathedral Dr
Rapid City SD 57701

Dear Mr. Lunders:

Enclosed is Water License No. 2673-2. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field 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. 2673-2, 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.

The applicable portions of Water Permit No. 2669-2 were incorporated into Water License No. 2673-2. 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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2673-2

(1) The Diocese of Rapid City & St Elizabeth Seton Central School, 606 Cathedral Drive, Rapid City SD 57701 made Application No. 2673-2, September 2, 2011 for a water permit to divert an additional 0.044 cubic feet of water per second (20 gallons per minute) from ground water (one well – Madison Formation), located in Pennington County, South Dakota for irrigation purposes. Permit No. 2673-2, with a priority date of September 2, 2011 was approved November 16, 2011 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 16, 2016 and for the application to beneficial use of said water on or before November 16, 2020. The Permit holder submitted a *"Notice of Completion of Works and Application of Water to Beneficial Use"* on January 18, 2012. The *"Notice"* stated the water use system was completed on August 19, 2011 and the water placed to beneficial use on January 17, 2012.

Water Permit No. 2669-2 carrying a priority date of May 27, 2011 authorized diversion of 0.10 cubic feet of water per second (45 gallons per minute) from the Madison well for irrigation of 7 acres. Water Permit No. 2673-2 was obtained to increase the diversion rate from the same well authorizing a total appropriation of 0.144 cubic feet of water per second (65 gallons per minute).

The investigation found a total of 0.12 cubic feet of water per second (55 gallons per minute) had been developed for irrigation of 7 acres. Water License No. 2673-2 is being issued to incorporate the applicable portions of Water Permit No. 2669-2.

(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 0.12 cubic feet of water per second (cfs) for beneficial use.

The location of the diversion point is 2,000 feet south and 1,700 feet east of the NW corner of Section 29, T2N, R7E (SE ¼ NW ¼).

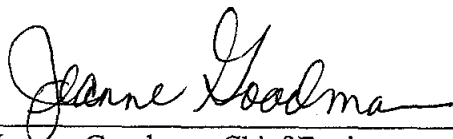
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 29, T2N, R7E	
NE ¼ NW ¼	4.0 acres
SE ¼ NW ¼	<u>3.0 acres</u>
Total	7.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 the Diocese of Rapid City & St Elizabeth Seton Central School, 606 Cathedral Drive, Rapid City SD 57701 the holder and/or owner of Incorporated Water Right No. 2673-2 is issued a license to appropriate water, the right to use 0.12 cubic feet of water per second from ground water (one well – Madison Formation) with priority dates of May 27, 2011 (0.10 cfs) and September 2, 2011 (0.02 cfs) from the location specified in (2) of this license for irrigation purposes. The annual appropriation may not exceed 2 acre feet per acre irrigated for a total of 14 acre feet of water.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 2673-2 and subject to the following qualifications:

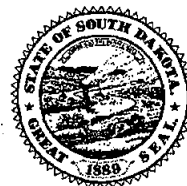
- In accordance with SDCL 46-1-14 and 46-2A-20, Permit Nos. 2669-2 and 2673-2 were issued for a 20-year term. Pursuant to SDCL 46-2A-21, the 20-year term may be deleted at any time during the 20-year period or following its expiration. If the 20-year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Incorporated No. 2673-2 may also be cancelled for non-construction, forfeiture, abandonment, or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1 and ARSD 74:02:01:37.
- 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.
- The well authorized by Incorporated Water Right No. 2673-2 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. *The well was drilled by Taylor Drilling in August, 2011. A copy of the well log is on file with the Water Rights Program.*
- This water right is subject to the irrigation water use questionnaire being submitted each year.
- The water right holder shall control withdrawals from the well so there is not a significant adverse effect on the water flow from area springs or a significant adverse effect on the water quality and character in area springs.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 05 2013

date



McMath, Genny

Subject: FW: IRRIGATION QUESTIONNAIRE

From: Hazel, Mark [<mailto:MHazel@diorc.org>]
Sent: Tuesday, February 16, 2016 10:47 AM
To: McMath, Genny
Subject: RE: IRRIGATION QUESTIONNAIRE

I apologize for the late reply, Genny.

I was going through my email and realized I had not responded after looking into our irrigation usage for 2015.

We did irrigate from April until November for 30 days each of those months. We only use the well for the grounds close to the Terra Sancta Retreat Center (2101 City Springs Road Rapid City, SD 57702). Our sprinkler installer maintains the system and opens it up in April and then blows out the lines and shuts it down in November.

If necessary, I can get exact usage data and maintain those records annually with metered results according to date and time.

Please feel free to call me on my cell phone (605-877-1135) any time with questions.

Peace and blessings,
Mark

Mark J. Hazel
Facilities Director
Diocese of Rapid City
P.O. Box 678
Rapid City, SD 57709
cellular 605.877.1135
office 605.343.2037
mhazel@diorc.org

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From: McMath, Genny [<mailto:Genny.McMath@state.sd.us>]
Sent: Tuesday, December 29, 2015 7:03 AM
To: Hazel, Mark <MHazel@diorc.org>
Subject: IRRIGATION QUESTIONNAIRE

Mr. Hazel,

Back in November we received the irrigation questionnaire from you indicating a total of 8 acres of grass was watered. I emailed back then to find out about the total # of days water was applied and to date have not heard back from you. It is unclear whether water was applied 30 days EACH month or a total of 30 days for the season. Please get back to me as soon as possible so I can mark the form as complete.
Thanks!

Genny McMath
Water Rights Program
605.773.5455



2673-2
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 26, 2018

NOTICE

TO: DIOCESE OF RAPID CITY, MARK HAZEL, 606 CATHEDRAL DRIVE, RAPID CITY, SD 57701

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2673-2. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2673-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2673-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

March 2, 2018

2673-2

Mark Hazel
Diocese of Rapid City
606 Cathedral Dr
Rapid City SD 57701

Dear Mr. Hazel:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 2673-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

With respect to your notation about the additional acreage being irrigated, enclosed is a water permit application for applying for the extra 2.64 acres. The instruction sheet has our contact information if you have any questions when completing the application.

Sincerely,

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



2673-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: DIOCESE OF RAPID CITY, MARK HAZEL, 606 CATHEDRAL DRIVE, RAPID CITY, SD 57701

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2673-2. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2673-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

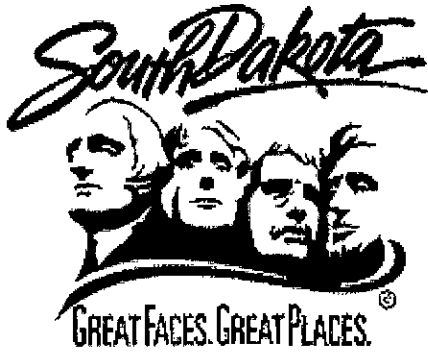
1. Suspend or cancel Permit No(s) 2673-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: JCMUFV**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

2673-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 21, 2020

2673-2

Mark Hazel
Diocese of Rapid City
606 Cathedral Dr
Rapid City SD 57701

Dear Mr. Hazel:

I am writing to acknowledge receipt of your 2019 irrigation questionnaire.

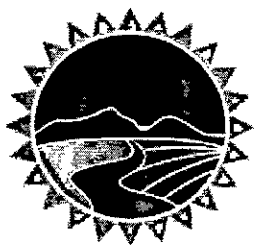
You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 2673-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath".

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



DENR
SOUTH DAKOTA

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

October 29, 2020

2673-2

Mark Hazel
Diocese of Rapid City
225 Main St # 100
Rapid City SD 57701-2855

Dear Mr. Hazel:

Enclosed is a "Notice" dated October 23, 2020 concerning the 2020 irrigation questionnaire.

The notice was originally mailed to 606 Cathedral Dr, Rapid City SD. The post office notified us that your address has changed, and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, reading "Genny McMath". The signature is written in dark ink and is positioned above the printed name.

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

enclosures



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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

January 22, 2021

NOTICE

TO: DIOCESE OF RAPID CITY, MARK HAZEL, 225 MAIN ST # 100, RAPID CITY, SD 57701 2835

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2673-2. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2673-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2673-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: HVTWGX**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
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PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

February 24, 2021

2673-2

Mark Hazel
Diocese of Rapid City
225 Main St #100
Rapid City SD 57701-2835

Dear Mr. Hazel:

I am writing to acknowledge receipt of your 2020 irrigation questionnaire.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Permit No. 2673-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us