

WATER PERMIT NO. 2680-2

Name of Applicant: **Bruce Briesemeister**

Address: **1022 Old Hill City Rd, Keystone SD 57751** Phone: **605 666-4654**

Amount of Water Claimed: **15 gpm** Total Acres: **NA**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **commercial** County: **Pennington**

Type of Waste Disposal System:

Location: **½ mile north of Keystone – Kemps Kamp**

PRIORITY Date Received: **2-22-2012** Application/License Fee: **\$ 300**

Corrected Application Received: Period of Annual Use: **May 1 – October 1**

Remarks:

Diversion Point: **NW ¼ SE ¼ Sec 6-T2S-R6E**

Land to be Irrigated: **NA**

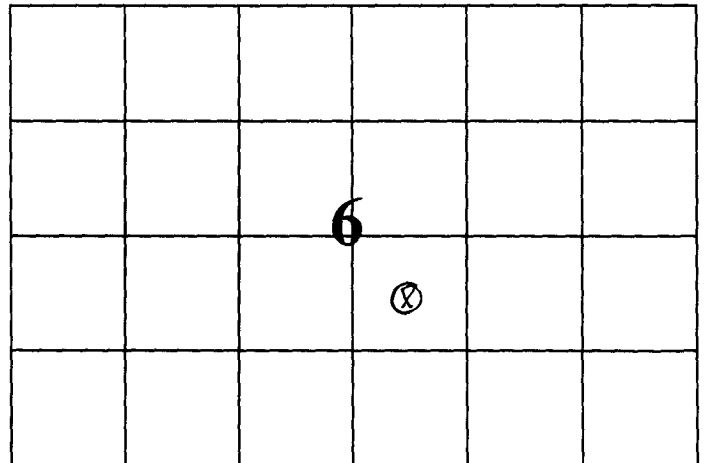
Depth of Well: **280 feet deep**

Well Driller: **Alexander Drilling**

Remarks:

Type of Map: **aerial**

Prepared by: **Ron Duvall**



Reviewed and the Number Assigned on: **2-22-12**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>2680-2</u> (office use only) Hydrologic Unit <u>10120109</u>
	Basin <u>Upper Cheyenne</u>
	Newspaper <u>Rapid City Journal P.O. Box 450</u>
	<u>605-394-8300</u> <u>57709</u>

RECEIVED
FEB 22 2012
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

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

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

- Name of Applicant BRUCE BRIESEMEISTER Phone 605-666-4654
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 1022 OLD HILL CITY RD. KEYSTONE State S.D. 57751
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.033 *CFS or 15 **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)
1-WELL NW 1/4 SE 1/4 SEC. 6 TWP 2S RG 6E
County PENNINGTON
- County or counties where water will be used PENNINGTON
- Annual period during which water is to be used MAY 1 THRU OCT. 1
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

PINPOINTED ON AERIAL MAP

STATE OF SOUTH DAKOTA) SS
County of PENNINGTON)

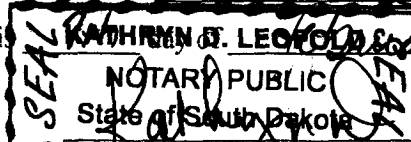
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, BRUCE BRIESEMEISTER, 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

My Commission Expires
May 23, 2012



Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 2680-2

Date of first receipt of application February 22, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2680-2 to Bruce Briesemeister, 1022 Old Hill City Rd, Keystone SD 57751 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. 2680-2 appropriates 15 gallons per minute from one well completed into the Precambrian aged Crystalline Rock (280 feet deep) located in NW 1/4 SE 1/4 Section 6-T2S-R6E.
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: May 1 – October 1.
4. The date of approval of Permit No. 2680-2 is April 23, 2012.
5. The date from which applicant may claim right is February 22, 2012.
6. One-fifth of the construction is to be completed on or before October 23, 2014.
7. All construction is to be completed on or before April 23, 2017.
8. Water is to be put to beneficial use on or before April 23, 2021.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

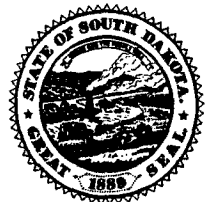
QUALIFICATION

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

WATER MANAGEMENT BOARD

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

SEP 07 2012
date



Supplemental Information

KEMPS KAMP
WELL #4

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well: _____

On applicants property 500 FT. On property owned by others _____

2. Wastewater Disposal System Information

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

3. Dugout Information

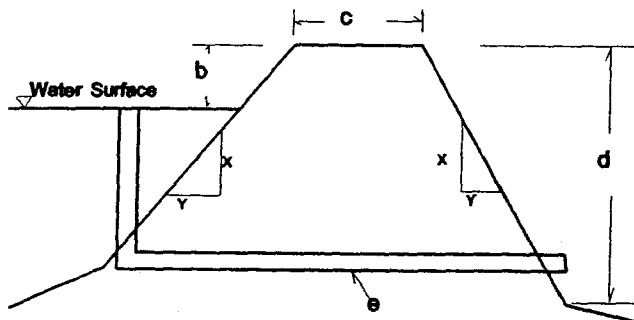
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

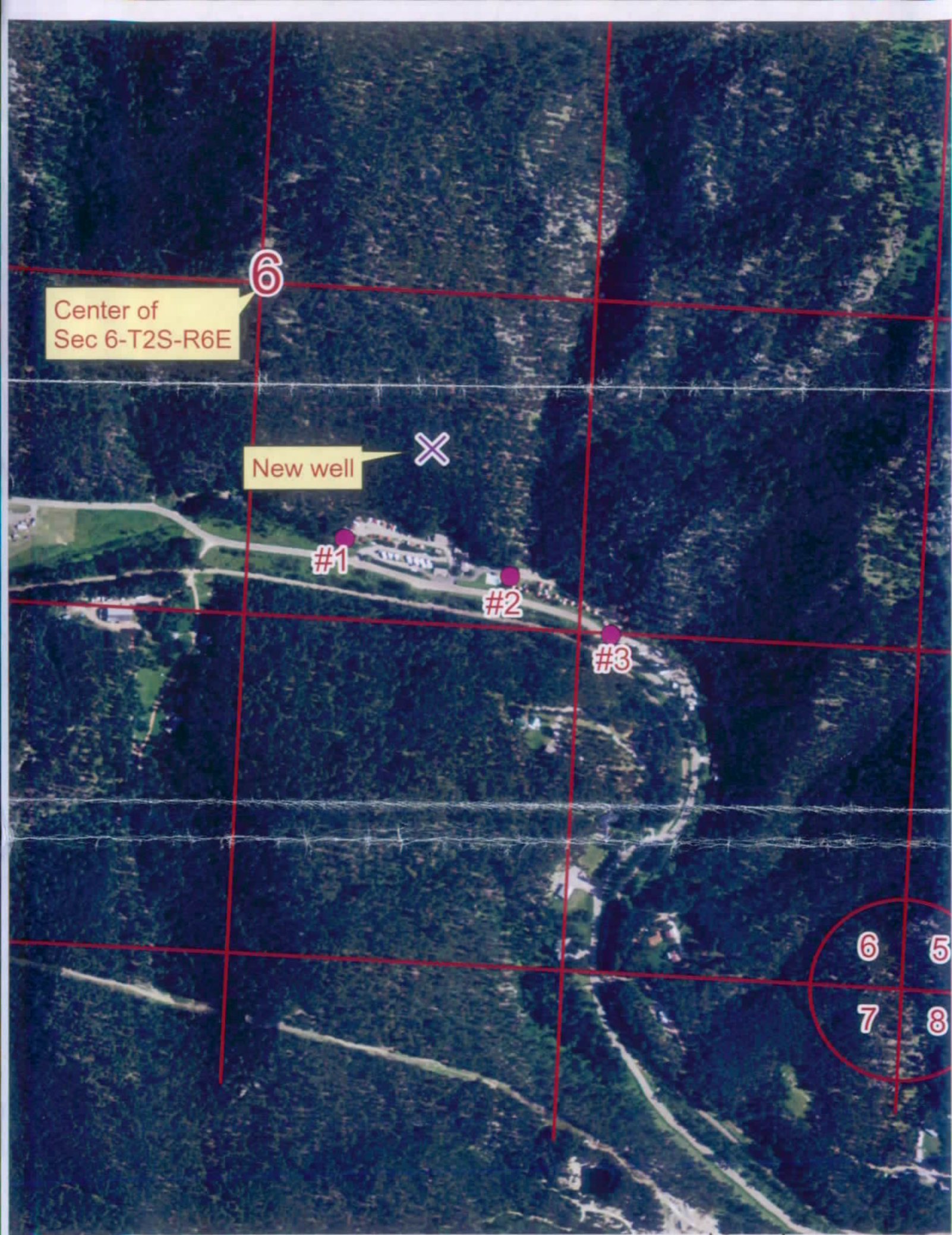
4. Water Storage Dams

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

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

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





6

Center of
Sec 6-T2S-R6E

New well



#1

#2

#3

6

5

7

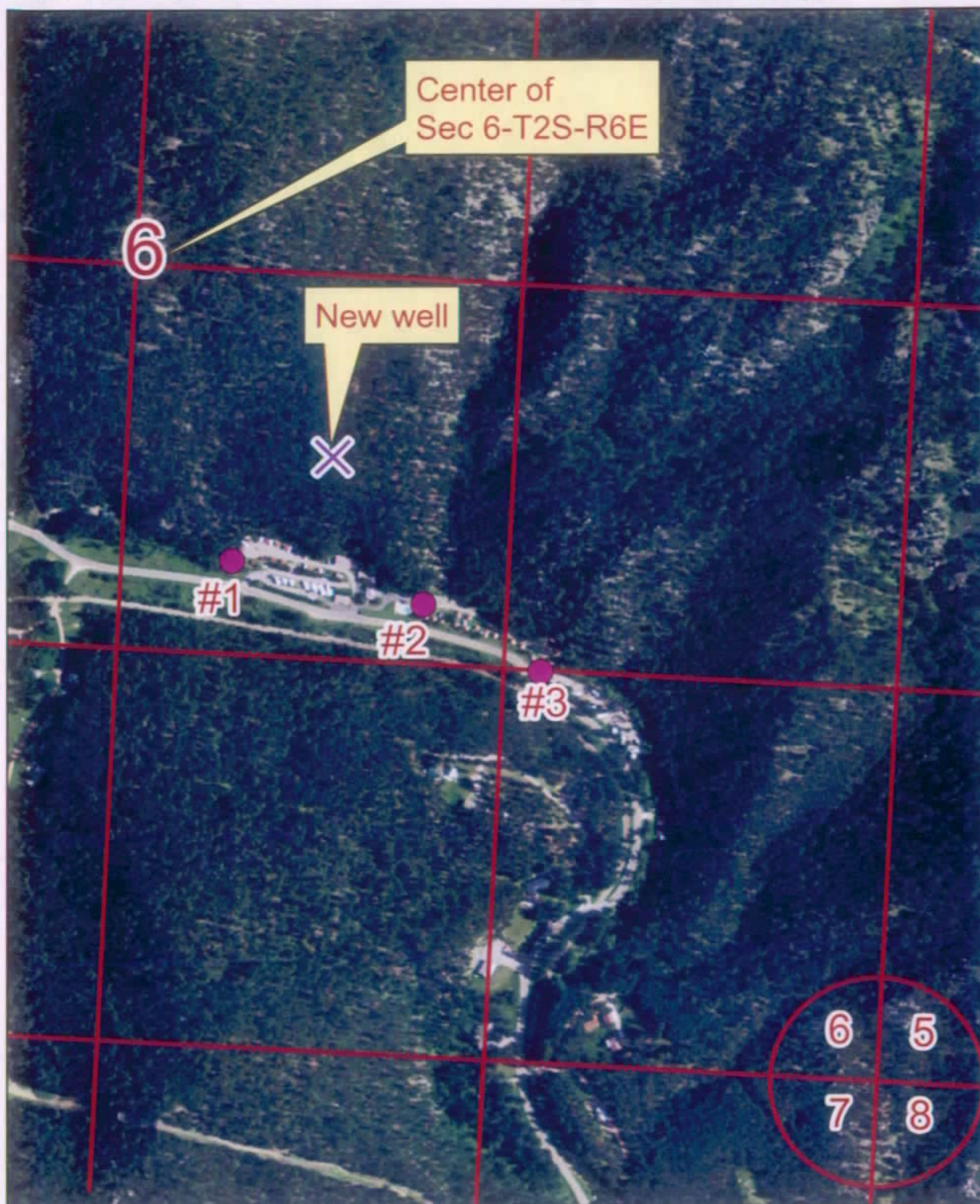
8

2012 Kemps Kamp

Scale: 1 inch = 500 feet

720

Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:

Ron Duvall
Ron Duvall, Natural Resources Engineer
Water Rights Program

Date: Feb 22, 2012

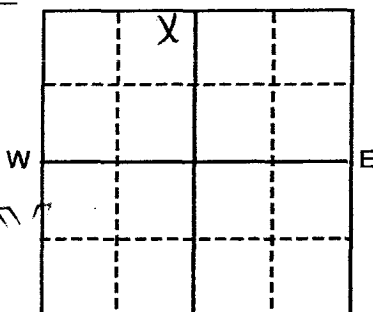
Permit Appl No.

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NE 1/4 NW 1/4 Sec 6 Twp 2S Rg 6ECounty Pennington

North

Please mark well
location with an "X"

Well Completion Date

December 13, 2011

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?

300.0 ft. from septic (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary Downhole Hammer

CASING DATA:

☐ Steel ☒ Plastic ☐ OtherIf other describe 40' of 6 160 pvc

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	6.00 IN	0.0 FT	40.0 FT	8.75 IN
LB/FT	IN	40.0 FT	280.0 FT	6.00 IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Portland II	5	Lb/gal	40.0 Ft	0.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
through trimmie pipe

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? w/chlorine solution☐ No, Why Not? _____Lab to which water
quality sample sent for analysis _____Well Owner: Kemps Kamp

Business Name: _____

Address: 1022 Old Hill City RoadCity, State, Zip: Keystone SD 57751

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Drift	0	35
Schist grey hard	35	156
fracture 2 gpm	156	157
schist grey hard	157	250
fracture 15+ gpm	250	252
schist grey	250	280

STATIC WATER LEVEL 85.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow 15.0 through _____ Inch pipeControlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: w/air☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

JAN 11 2012

WATER RIGHTS
PROGRAMThis well was drilled under license # 324 and this
report is true and accurate.Drilling firm: Alexander Drilling Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/22, 20 12

RECEIVED OF Kemps Kamp Breeze Inc 1022 Old Hill City Rd Keystone SD 57751

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

Fee for Application for Permit No. <u>2680-2</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>2680-2</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. **05360**

By *Robert Erbe*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2012

Kemps Kamp
1022 Old Hill Rd
Keystone SD 57751

Dear Sir:

I am writing in regard to a well driller's report filed by Alexander Drilling Inc. The report shows a new well has been completed on December 13, 2011. Based on the information in the report, you may need a water permit for this water use.

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

Enclosed are application forms and instruction sheet to apply for a water permit. The completed forms with the application fee and map can be returned to: Water Rights Program, 523 E. Capitol, Pierre, SD 57501. Please respond by March 1, 2012.

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

Sincerely,

Karen Schlaak

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2012

Bruce Briesemeister
1022 Old Hill City Road
Keystone SD 57751

Dear Mr. Briesemeister:

I am writing in response to our phone conversation on February 2, 2012 concerning your recently completed well No. 4. Enclosed is a copy of the application that was completed for Water Right No. 1811-2 and a draft map showing the location of your existing wells and the new well.

You indicated that the new well is serving two new cabins approximately 400 feet north of well Nos. 1 and 2. I approximated the location of the new well on the enclosed map. Unfortunately, I don't have a recent enough map to show the area that was cleared of trees. Please give the approximated well location a careful look and mark on the map where the well is actually located. After you have completed your application and returned it with the map and \$300.00 application fee, we will prepare a report and recommendation. This report and recommendation will be sent to you along with instructions on how to publish a notice concerning your application. The public notice will also be prepared for you.

If you have any questions about completing your application, please let me know. I can be reached by phone at (605) 773-3352 or by email at ron.duvall@state.sd.us.

Sincerely,

Ron Duvall
Natural Resources Engineer
Water Rights Program

Enclosure



**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. 2680-2, Bruce Briesemeister**

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. 2680-2, Bruce Briesemeister, 1022 Old Hill City Rd, Keystone SD 57751.

The Chief Engineer is recommending APPROVAL of Application No. 2680-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualification:

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

See report on application for additional information.

Garland Erbele, Chief Engineer
March 28, 2012

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 2680-2
BRUCE BRIESEMEISTER
MARCH 9, 2012

Water Permit Application No. 2680-2 proposes to appropriate 0.0334 cubic feet of water per second (15 gallons per minute) from one existing well 280 feet deep completed into the Precambrian Crystalline Rock aquifer. The well is located in the NW¼ SE¼ Section 6, T2S-R6E, Pennington County. The water is to be used for commercial purposes.

AQUIFER: Precambrian aged Crystalline Rock (CRSL)

Geology and Aquifer Characteristics:

The crystalline rock in this area consists of heterogeneous, gray to tan quartzite, metaconglomerate, and phyllite or schist (Redden and DeWitt, 2008). The aquifer (crystalline rock) is exposed at the surface throughout this area, except where it is covered by alluvium along Battle Creek (Strobel and others, 1999). The aquifer is under unconfined conditions and the static water level of wells in this area are probably at about the same elevation as Battle Creek. Groundwater is derived primarily through joints, fractures and foliation within the rock. The distribution, orientation and interconnection of these zones of secondary porosity and permeability are unpredictable, and the aquifer characteristics are site specific and highly variable. Recharge to the crystalline rock occurs through infiltration of precipitation and streamflow losses. Average annual recharge to the aquifer has not been quantified.

The DENR-Water Rights Program does not monitor any observation wells completed into the Crystalline aquifer in this immediate area. The nearest observation well completed into this aquifer is located in Custer, about 11 miles southwest of the well that is to be used to supply this application. A hydrograph for the observation well is shown in figure 1.

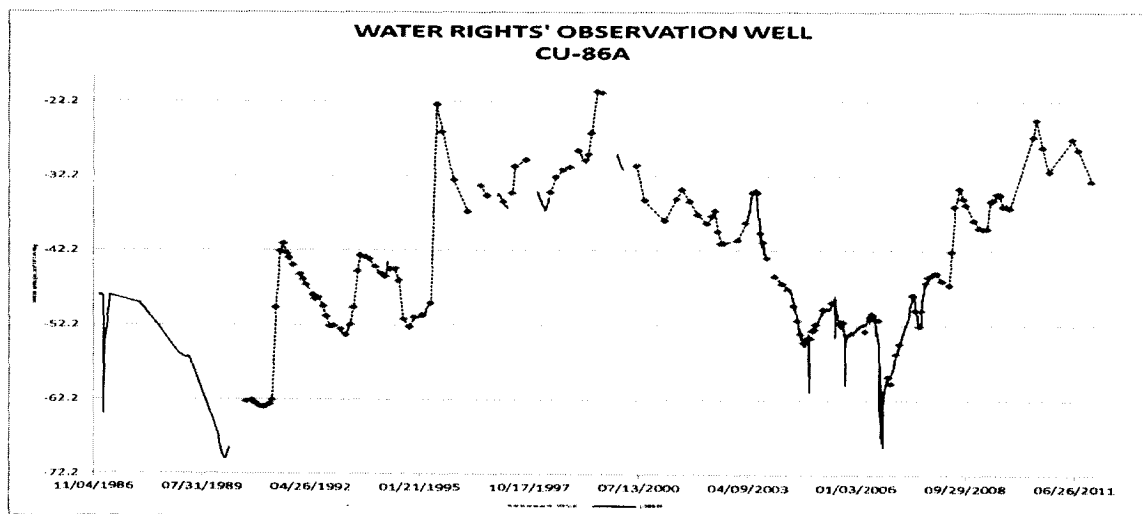


Figure 1. Hydrograph of DENR-Water Rights' observation well completed into the Crystalline rock aquifer about 11 miles southwest of the well that is to be used to supply this application.

The hydrograph documents that the water levels in the observation well fluctuate approximately 50 feet in response to varying climatic conditions, rising during wet years and gradually declining during dry years. The aquifer in this area should behave similarly to the aquifer in the Custer area. The proximity to Battle Creek may have a dampening effect to climatic conditions in this area.

Existing Water Rights:

There are a number of domestic wells completed into the crystalline rock in this area and there are eight water rights/permits appropriating water from the crystalline rock aquifer within approximately one mile of this well site. Appropriations within approximately one mile of this well site are shown in table one.

PERMIT NO	NAME	STATUS	USE	CFS
1135-2	JOHN KINYON	LC	COM	0.03
1811-2	BREEZE INC	LC	COM	0.067
2012-2	BAPTIST CAMP JUDSON	LC	INS	0.04
2012A-2	BAPTIST CAMP JUDSON	LC	INS	0.04
2329-2	LITTLE GUYS LLC	PE	COM	0.1
2341-2	DANIELLE BANKS	LC	COM	0.013
2342-2	DANIELLE BANKS	LC	COM	0.044
2344-2	MIKE VINTON	LC	COM	0.044

LC= Water Right, PE = Water Permit, COM= Commercial, INS= Institutional

Table 1. Water Rights/Permits appropriating water from the Crystalline aquifer within approximately one mile of the well that application No. 2680-2 proposes to use

Other than the wells that also supply this facility, covered under Water Right No. 1811-2, the nearest appropriation to this well site (No. 1135-2) is located about 900 feet west-southwest of the well that Application No. 2680-2 proposes to use. Since the porosity of the Crystalline aquifer is small, 0.03-0.10, (Driscoll and others, 2002) drawdown from a pumped well or wells, may extend over a fairly widespread area. However, since the diversion rate proposed by this application is small (15 gpm), drawdown from this well should not be significant to existing appropriations held by others.

ARSD 74:02:04:20(6) defines an adequate well as a well constructed to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer. An adversely impacted domestic well is defined by ARSD 74:02:04:20(7) as a well in which the pump intake was set at least 20 feet below the top of the aquifer and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner's needs. Since the porosity of the Crystalline aquifer is low, 20 feet of saturated thickness may be insufficient for a well to be a reliable water supply. In other words, in this hydrogeologic setting, wells that are "adequate" by definition may not be reliable water supplies. Under these circumstances it can be argued that, any measurable interference (drawdown), from a competing well is actually an adverse impact. However, with natural water level fluctuations in this aquifer measured in excess of 50 feet at the Water Rights' Observation well; drawdown of a few feet could be considered insignificant.

Conclusions:

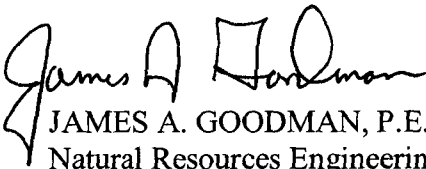
1. The Precambrian aged Crystalline Rock is a viable aquifer in this area.
2. The aquifer is unconfined and interference is not expected to be a concern.
3. This is an application to divert water from an existing well. A completion report for the well is unavailable and the well construction cannot be evaluated.



KEN BUHLER

Natural Resource Engineering Specialist

approved by:



JAMES A. GOODMAN, P.E.

Natural Resources Engineering Director

REFERENCES:

- Driscoll, D.G., Carter J.M., Williamson, J.E., and Putnam, L.D., 2002, Hydrology of the Black Hills Area, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 02-4094, 1503 p.
- Redden, Jack A.; DeWitt, Ed, 2008, Maps Showing Geology, Structure, and Geophysics of the Central Black Hills, South Dakota, Scientific Investigations Map 2777 1:100,000
- Strobel, M.L., Jarrell, G.J., Sawyer, J.F., Schleicher, J.R., Fahrenbach, M.D., 1999, Distribution of Hydrogeologic Units in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-743, 3 sheets, scale 1:100,000
- Water Rights, 2012a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2012b, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2012c, Well Completion Report Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

RECEIVED

APR 25 2012

WATER RIGHTS
PROGRAM

Affidavit of Publication

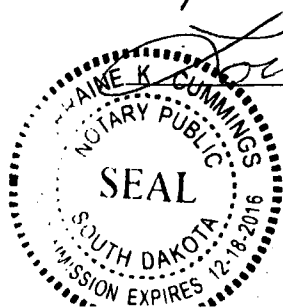
STATE OF SOUTH DAKOTA

County of Pennington

SS:

Brandyn Crawford 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 fifth day of April that the fees charged for the publication there of are Twenty Six dollars and Twenty eight cents.

Subscribed and sworn to before me this Twenty sixth day of April, 2012.



Notary public

Dec. 18, 2016
My commission expires

Apr. 5, 12 L20677631

NOTICE OF APPLICATION

NO. 2680-2 to Appropriate Water

Notice is given that Bruce Briesemeister, 1022 Old Hill City Rd, Keystone SD 57751 has filed an application for a water permit to appropriate 15 gallons per minute from one well completed into the Precambrian aged Crystalline Rock (280 feet deep) located in NW 1/4 SE 1/4 Section 6-T2S-R6E for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2680-2 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 April 23, 2012.

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 \$96.28)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 29, 2012

Rapid City Journal
Legal Advertising
PO Box 450
Rapid City SD 57709

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2680-2 to Appropriate Water to be published twice. Please publish the first notice on April 5, 2012 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 Bruce Briesemeister, 1022 Old Hill City Rd., Keystone SD 57751 (Ph # 605-666-4654).

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
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 2680-2

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

Date _____

We are in receipt of your letter of March 29, 2012 enclosing Notice to Appropriate Water by Application No. 2680-2 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.

March 29, 2012

Bruce Briesemeister
1022 Old Hill City Rd
Keystone SD 57751

Dear Mr. Briesemeister:

Water Permit Application No. 2680-2 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 recommendations of the Chief Engineer and reports on the applications 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 applications.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on April 5, 2012 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. 2680-2 to Appropriate Water

Notice is given that Bruce Briesemeister, 1022 Old Hill City Rd, Keystone SD 57751 has filed an application for a water permit to appropriate 15 gallons per minute from one well completed into the Precambrian aged Crystalline Rock (280 feet deep) located in NW ¼ SE ¼ Section 6-T2S-R6E for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2680-2 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 April 23, 2012

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 _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 07 2012

Bruce Briesemeister
1022 Old Hill City Rd
Keystone SD 57751

Dear Mr. Briesemeister:

Enclosed is Water Permit No. 2680-2 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 2, 2012

2680-2

Gail Briesemeister
122 Old Hill City Rd
Keystone SD 57751

Dear Ms. Briesemeister:

Thank you for calling in regard to Water Permit No. 2680-2.

Enclosed is a partially completed transfer form. Even though the change is more of a name change and not an ownership change, we use the same form. Upon completion, please return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the permit in the event you need one. I also included a copy of the ownership change filed back in 2001 for your other water right in the event you wanted both to be in the same name.

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

enclosures

RECEIVED

OCT 17 2012

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 2680-2
Date: 10/13/12

I/We request that Water Permit No. 2680-2

formerly owned by: Bruce Briesemeister

be transferred to: (name & address) Breeze, Inc. dba Kamps Kamp
1022 Old Hill City Rd, Keystone, SD 57751

Telephone No. 605-666-4654

Title to the following described land(s)/property has been transferred as described above:

Well location: NW ¼ SE ¼ Section 6, T2S, R6E

I/We understand that the validity of Water Permit No. 2680-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Gail y. Briesemeister, the new owner, certify that the above information is true and correct.

Gail y. Briesemeister
(Signed by new owner)
Sec/Treasurer - Breeze, Inc.

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/17, 20 12

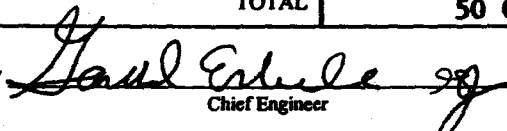
RECEIVED OF Kemps Kamp Breeze Inc 1022 Old Hill City Rd Keystone SD 57751

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2680-2</u>		
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	50 00

No. **05621**

By


Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 18, 2012

2680-2

Gail Briesemeister
122 Old Hill City Rd
Keystone SD 57751

Dear Ms. Briesemeister:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for Water Permit No. 2680-2.

The ownership change has been completed. The permit formerly listed in the name of Bruce Briesemeister is now listed in the name of "Breeze, Inc. – dba Kamps Kamp".

Enclosed for your records is Receipt No. 05621 in the amount of \$50.00. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

RECEIVED

MAY 10 2016

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 5-3-16 X

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

FROM: Breeze, Inc. c/o Bruce Briesemeister
(name)
1022 Old Hill City Rd
(address)
Keystone SD 57751 605 755-7710
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

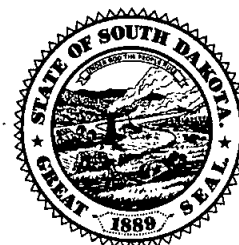
Water Permit No. 2680-2 states that the water use system is to be constructed by
April 23, 2017 , and water is to be put to beneficial use by April 23, 2021
(date) (date)

The water use system was completed on 5-15-15 X
(date)

Applying the water to beneficial use was completed on 5-15-15 X
(date)

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

[Signature] X
(signature)



Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 2680-2

I have this day, April 25, 2016, made a thorough examination of the water use system constructed by Breeze Inc., 1022 Old Hill City Rd, Keystone, SD 57751 of Permit No. 2680-2, bearing the priority of 2/22/2012 authorizing the diversion of .033 cu. ft. per second of the water from one well for commercial purposes, in Pennington County.

Inspection contact & relationship to permit holder, if applicable: **Bruce Briesemeister, owner**
605-755-7710

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Alexander Drilling (2011)
- 2) No. of Wells 1
- 3) Depth(s) 280 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 6"
- 2) Length 40 feet
- 3) Type PVC

Screen:

- 1) Type N/A
- 2) Length N/A feet
- 3) Static water level 85 feet

Pump:

- 1) Make Grundfos
- 2) Model 10S15-21
- 3) Size 4"
- 4) Capacity 13 GPM
- 5) Horsepower rating 1^{1/2} hp
- 6) Pressure Switch Setting 20/40 psi

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

A polyethylene line delivers water to the pump house with pressure tanks and controls and then to the individual cabins and RV sites.

C. Works used to apply water to beneficial use:

The well supplies four cabins and two RV sites on the hillside north of Battle Creek.

D. Compliance with Permit Requirements:

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

E. Condition and Location:

1. The system is in good condition with the point of diversion located as follows:
NW ¼ SE ¼ S6 T2S R6E (2,193 ft. north and 1,884 ft. west of the SE corner),
N 43.9031° W 103.4466°
2. The works are capable of diverting and conveying to the place of use .029 cu. ft. per second (13 gpm) of water which is to be used for **commercial** use and the license should be issued for .029 cfs.

All structures, wells and lands on map – **Well and area served by well only**

F. Comments or other permit(s) associated with the project: none



Steven Quissell
Water Rights Inspector
DENR, Water Rights Program

Date report completed: April 26, 2016



Well and pump house



Area served by well

Water Right #2680-2
Breeze Inc.
4/25/2016



Steven Quissell
Water Rights Inspector
DENR Water Rights Program



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2680-2

(1) Bruce Briesemeister, Keystone SD made Application No. 2680-2, February 22, 2012 for a water permit to divert 0.033 cubic feet of water per second from one well- Precambrian aged Crystalline Rock, Pennington County, South Dakota for commercial purposes. Permit No. 2680-2, with a priority date of February 22, 2012 was approved April 23, 2012 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 23, 2017 and for the application to beneficial use of water on or before April 23, 2021.

On October 17, 2012, Water Permit No. 2680-2 was transferred to Breeze, Inc., dba Kemps Kamp, 1022 Old Hill City Rd, Keystone SD 57751.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on May 10, 2016. The *Notice* stated the diversion system was completed and the water placed to beneficial use on May 15, 2015.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 2680-2 is issued a license, bearing a priority date of February 22, 2012 to appropriate 0.029 cubic feet of water per second from one well – Precambrian aged Crystalline Rock for commercial use.

The diversion point is located: 2,193 feet north and 1,884 feet west of the SE corner Section 6-T2S-R6E (NW 1/4 SE 1/4).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 2680-2 including the following qualification:

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



Jeanne Goodman, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

JUN 15 2016

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

2680-2

JUN 15 2016

Bruce Briesemeister
1022 Old Hill City Rd
Keystone SD 57751

Dear Mr. Briesemeister:

Enclosed is Water License No. 2680-2. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

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