

WATER PERMIT NO. 2727-2

Name of Applicant: USAF; Ellsworth Air Force Base

Address: 2125 Scott Dr, Ste 2128, Ellsworth AFB SD 57706

Phone: 605 385-2662

Amount of Water Claimed: Total Acres: 42 acres

Source of Water Supply: unnamed trib of Box Elder Creek (2 storage ponds)

Water to be used for: irrigation County: Pennington

Type of Waste Disposal System:

Location: Ellsworth Air Force Base

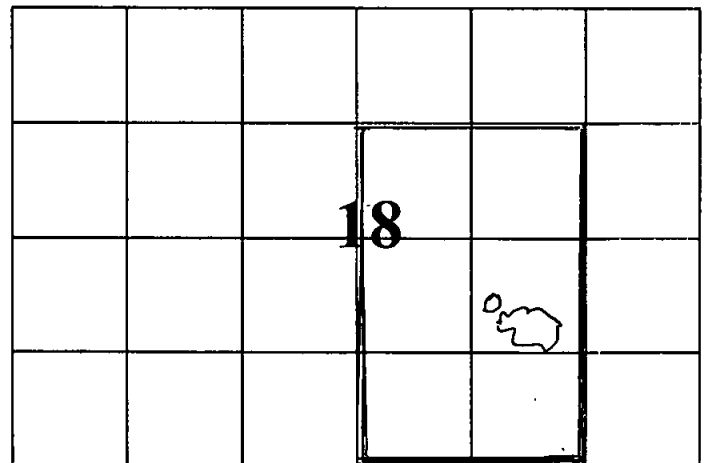
PRIORITY Date Received: 5-23-14 Application/License Fee: \$ 700

Corrected Application Received: Period of Annual Use: April 1 – November 30

Remarks: irrigate golf course

Diversion Point: NE 1/4 SE 1/4 Sec 18-T2N-R9E

Land to be Irrigated: SE 1/4, S 1/2 NE 1/4 Sect 18-T2N-R9E



Depth of Well:

Well Driller:

Remarks:

Type of Map:

Prepared by:

Reviewed and the Number Assigned on: 5-23-14

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	(office use only)	
	No. <u>2727-2</u>	Hydrologic Unit <u>10120111</u>
	Basin <u>Upper Cheyenne</u>	
	Newspaper <u>Rapid City Journal Box 450</u>	
<u>57701-605-394-8300</u>		

RECEIVED

MAY 23 2014

WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

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

1. Name to Appear on Irrigation Permit United States Air Force; Ellsworth Air Force Base (EAFB)(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent

(name and complete address if different than above name)

Mailing Address 2125 Scott Dr, Ste 2128 Ellsworth AFB SD 57706-4711
(Address) (City) (State) (Zip Code)Home Phone (605) 385-2662 Cell _____ Email kevin.goyer@^{us}ellsworth.af.mil 42 acres2. Amount of water claimed 0.33 *CFS or 150 **GPM 0.77 ***AF Total Acreage 115/annum
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)3. Source of water supply Unnamed tributary of Box Elder Creek4. Location of point of diversion two holding ponds SE1/4, S18, T2N, R9E (NE1/4 SE1/4)
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)23.5 AF total storage capacity County Pennington5. County or counties where water will be used Pennington6. Annual period during which water is to be used April 1 to Nov 307. 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
Prairie Ridge Golf Course irrigated area	42		
<u>SE 1/4</u>			
<u>S 1/2 NE 1/4 Sec 18 - T2N-R9E</u>			

8. Give a description of the project. (Attach sheet if more space is needed)

EAFB uses a dugout and impoundment to hold water to irrigate 12 golf course play areas (9 fairways/greens, chipping, putting, driving greens). Turf req'ts: 42 acres with application target of 0.8 to 1.23 inches/week per acre (Mar - Oct) requires 150Kgals/day typical (est. 210 days); up to 200Kgals/day during dry windy days (est. 30 days). Calculated application rates result in a need for 115 acre feet annually (2.74 acre ft/acre annually). Ponds have moderate siltation; intent is to restore the system to the design volumes listed in this application.

I, Kevin B. Goyer, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

**SOUTH DAKOTA
WATER PERMIT NO. 2727-2**

Date of first receipt of application May 23, 2014.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2727-2 to USAF: Ellsworth Air Force Base, c/o Kevin B Goyer, 2125 Scott Drive, Suite 2128, Ellsworth AFB SD 57706-4711 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. 2727-2 appropriated water from an unnamed tributary of Box Elder Creek into 2 holding ponds (23.5 total storage capacity) located in the NE 1/4 SE 1/4 Section 18 to irrigate 42 acres of the Prairie Ridge Golf Course located in the SE 1/4, S 1/2 NE 1/4 Section 18; all in T2N-R9E. The water will be diverted from the holding ponds at a maximum rate of 0.33 cubic feet of water per second to the land.
2. The amount of the appropriation may not exceed 3 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: April 1 – November 30.
3. The date from which applicant may claim right is May 23, 2014.
4. The date of approval of Permit No. 2727-2 is August 4, 2014.
5. One-fifth of the construction is to be completed on or before February 4, 2017.
6. All construction is to be completed on or before August 4, 2019.
7. Water is to be put to beneficial use on or before August 4, 2023.
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. Diversion shall be made only during the periods of time that one cubic feet of water per second or more is flowing in Box Elder Creek at the confluence of this water course with Box Elder Creek located in the NW 1/4 NW 1/4 Section 27-T2N-R9E.
2. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
3. Diversions under this permit shall be in accordance with any written orders issued by the Chief Engineer.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: *Jeanne Goodman*

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

AUG 18 2014

date



Supplemental Information

(type or print)

1. Well Information (check one or both as applicable) ☐ Drilling new well(s) ☐ Using existing well(s)

a) If new wells, how many ____ Have test holes been drilled ☐ Yes ☐ No Drilled by ____
(if yes, please provide copies of logs)

b) If existing wells, how many ____ Provide copy of log(s), if available. Drilled by ____

c) Well Depth ____ Depth to Top of Water Bearing Material ____ Depth to Water from Surface ____

d) Distance to nearest existing domestic well:

On applicant's property ____ On property owned by others ____

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) none

b) System Capacity (gallons) ____ Year Constructed ____

c) Connected to the City of ____ Sanitary System

3. Dugout Information

a) Surface Dimensions 0.37ac (1481.7 sm; 15949 sf) Depth 5 ft (heavy silt)

b) Depth to water (ground surface to water level) 2 (2 ac ft)

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 5 feet 1/4 inches

c) Crest Width 19 feet 7 inches

Crest Length 35 feet

d) Height 5 feet 2 inches

e) Primary Outlet Capacity ____

If pipe, diameter 70 in

f) Secondary Spillway Capacity none

Spillway Width 11 feet

g) X & Y Slope (e.g. 3 to 1 is a typical slope)

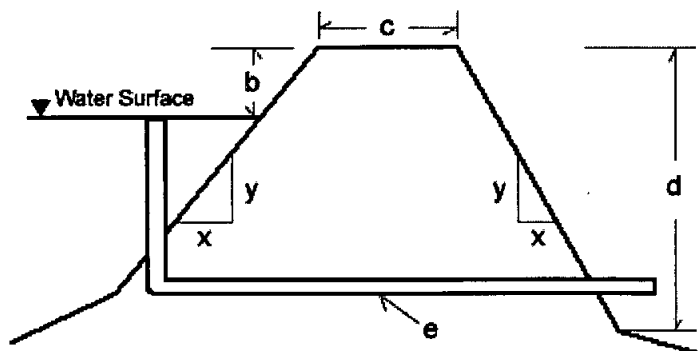
Upstream 27.7 %

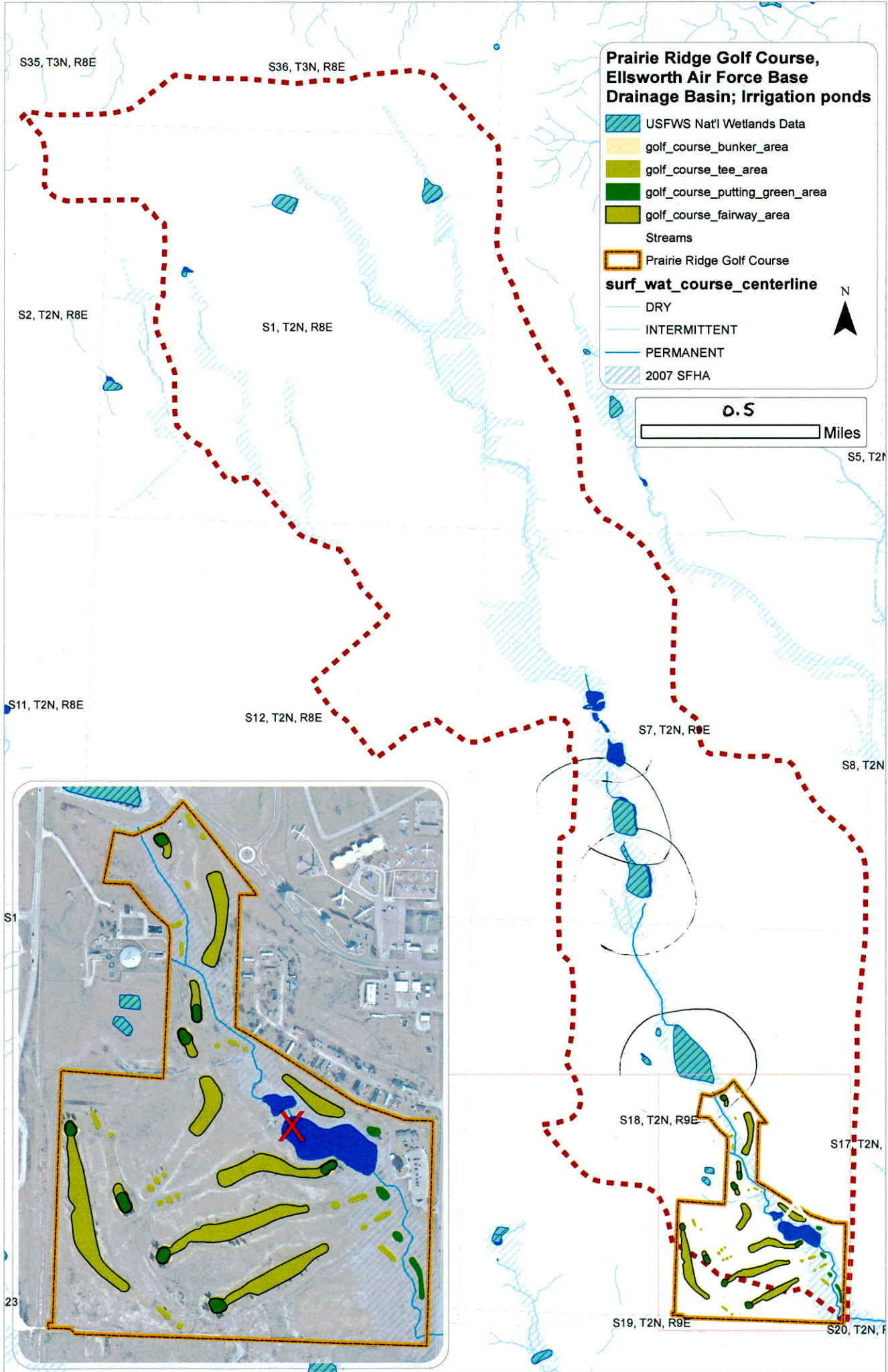
Downstream 24.6 %

h) Surface Area of Impoundment 2.67 ac

i) Storage 21.5 Acre Feet

j) Drainage Area Above Dam 1,579.0 Acres





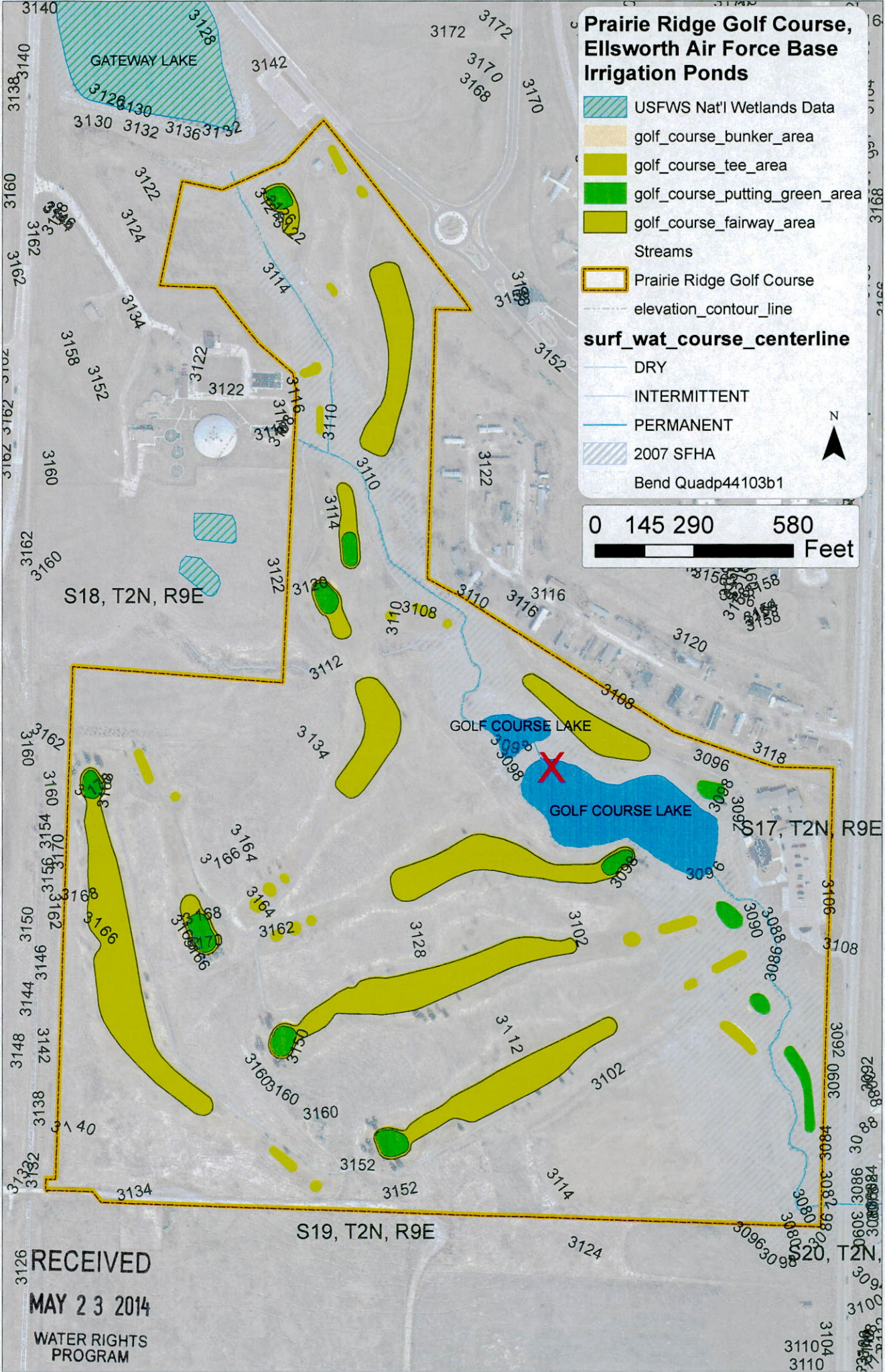
RECEIVED
MAY 23 2014
WATER DISTRICT

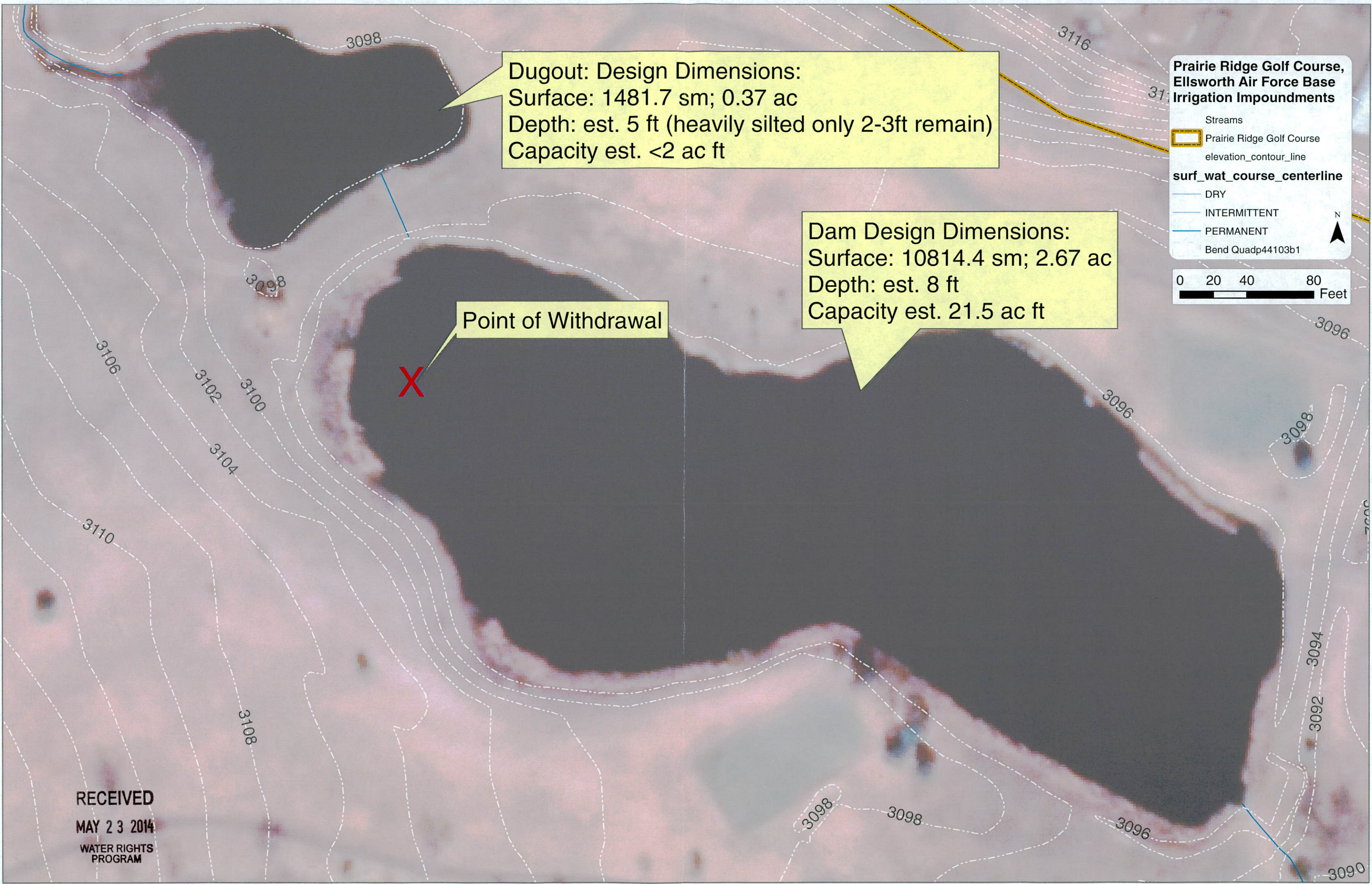
Ex. D

Prairie Ridge Golf Course, Ellsworth Air Force Base Irrigation Ponds

- USFWS Nat'l Wetlands Data
- golf_course_bunker_area
- golf_course_tee_area
- golf_course_putting_green_area
- golf_course_fairway_area
- Streams
- Prairie Ridge Golf Course
- elevation_contour_line
- surf_wat_course_centerline**
 - DRY
 - INTERMITTENT
 - PERMANENT
- 2007 SFHA
- Bend Quadp44103b1

0 145 290 580
Feet





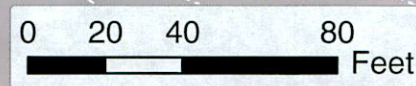
Dugout: Design Dimensions:
Surface: 1481.7 sm; 0.37 ac
Depth: est. 5 ft (heavily silted only 2-3ft remain)
Capacity est. <2 ac ft

Dam Design Dimensions:
Surface: 10814.4 sm; 2.67 ac
Depth: est. 8 ft
Capacity est. 21.5 ac ft

Point of Withdrawal

**Prairie Ridge Golf Course,
Ellsworth Air Force Base
Irrigation Impoundments**

- Streams
- Prairie Ridge Golf Course
 - elevation_contour_line
 - surf_wat_course_centerline
 - DRY
 - INTERMITTENT
 - PERMANENT
- Bend Quadp44103b1



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MAY 23 2014
WATER RIGHTS
PROGRAM



Sec 6
T002N
R09E

Sec 5
T002N
R09E

Sec 12
T002N
R08E

Sec 7
T002N
R09E

Sec 8
T002N
R09E

Sec 13
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RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

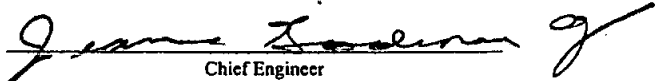
Date 5/27, 20 14

RECEIVED OF Kevin Goyer 2125 Scott Dr # 2128 Ellsworth AFB SD 57706

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

Fee for Application for Permit No. <u>2727-2</u> to Appropriate Water, to construct and to put water to beneficial use	500	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>2727-2</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	700 00

No. **06860**

By 
Chief Engineer

Water Rights Program - DENR

Conversation or File Documentation

Name of Person: Kevin Goyer

File No: 2727-2

Address: 2125 Scott Dr., Ste. 2128, Ellsworth AFB, SD 57706

County: Pennington

Date: June 20, 2014

Telephone: 385-2662

(Correct Email Address: kevin.goyer@us.af.mil)

RE: Ellsworth AFB's permit for the Prairie Ridge Golf Course

Comments:

On June 20, 2014, Kevin Goyer from EAFB returned my call regarding questions I had about their application to irrigate the golf course at the Base from an unnamed tributary of Box Elder Creek.

I asked Kevin about why they had applied for the permit because the golf course had been there for a number of years and had to have been irrigated from some source. He told me the golf course had been there for years, but had previously been irrigated from run-off into the creek as well as water from the treatment plant which was used to irrigate the golf course. He said the reason for the new permit was because the Base was moving the treatment to an area near the Box Elder holding ponds and it would be very expensive to build a new line from the new location back to the golf course.

I told Kevin the amount of water which I thought would be available to irrigate the golf course was not nearly enough to provide adequate water for a golf course because of the very small drainage area. He agreed the creek water would be limited and also said using water from the creek was part of an option to irrigate when creek water was available. In the event water from the creek would not be sufficient to water the course, purchased water from Rapid City could be used together to supply enough water to irrigate the golf course. He then stated there was another small drainage on the south side of the flight line which could also be used to supply additional water to the system. He said he would send me a map of this drainage prepared by Rita Krebs showing the drainage area which could provide additional water to the ponds in the future.

The subject of interference of prior water rights downstream along Box Elder Creek was also discussed. He said he was aware of a water permit downstream (406-2) which partially relied upon their treatment plant discharge for irrigation. He stated he understood the effect their project might have on the water right and that EAFB would be willing to build a pipeline to the creek or the landowner's property so as not to take any water away from them. He then suggested DENR or the Base should contact the permit holder to make them aware of Ellsworth's intent to not use water from the existing treatment plant which the permit holder might normally receive. He thought the permit holder should be notified of the project because he did not want the holder to be "blindsided" by their project. He also suggested the permit holder be informed of their willingness and their plans, if needed/wanted, are to construct a water system from the new

treatment plant to Box Elder Creek as a source of water to not deprive any water the holder might depend on. I asked Mr. Goyer where the new treatment was going to be located and he said it was just north of the City of Box Elder holding ponds.

On June 23, 2014, I talked to Kelli B. about the location of EAFB's new treatment plant. She emailed me the location as the NW ¼ Sec. 26-T2N-R9E. After receiving her mail I checked the location with the of permitted acres for Permit No. 406-2 and found that it appears 75.67 acres covered under 406-2 are located in the NW ¼ Sec. 26-T2N-R9E.

A handwritten signature in black ink, appearing to read "Mike DeFea". The signature is fluid and cursive, with the first name "Mike" being more prominent than the last name "DeFea".

Mike DeFea
Natural Resources Engineer II
DENR, Water Rights Program



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



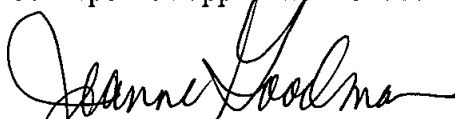
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2727-2, United States Air Force, Ellsworth Air Force Base**

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. 2727-2, United States Air Force, Ellsworth Air Force Base, c/o Kevin B. Goyer, 2125 Scott Drive, Suite 2128, Ellsworth AFB SD 57706.

The Chief Engineer is recommending APPROVAL of Application No. 2727-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. Diversion shall be made only during the periods of time that one cubic feet of water per second or more is flowing in Box Elder Creek at the confluence of this water course with Box Elder Creek located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27-T2N-R9E.
2. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
3. Diversions under this permit shall be in accordance with any written orders issued by the Chief Engineer.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


Jeanne Goodman, Chief Engineer
July 15, 2014

NOTE: DENR encourages you to read the staff report carefully. This water course may not be a reliable source of water. The anticipated annual yield in a normal year may not supply the needed application rates for the golf course. This will need to be a consideration in the Air Force's decision making regarding if the project is feasible. DENR understands that the Air Force can supplement irrigation using city water during periods when water is not available from the water course.

REPORT ON WATER PERMIT APPLICATION NO. 2727-2

United States Air Force; Ellsworth Air Force Base

2125 Scott Drive, Ste. 2128

Ellsworth AFB 57706-4711

June 9, 2014

Water Permit Application No. 2727-2, proposes to appropriate water from an unnamed tributary of Box Elder Creek into two holding ponds (23.5 acre-feet of total storage capacity) located in the NE ¼ SE ¼ Section 18-T2N-R9E. The applicant proposes to divert water from the two holding ponds at a maximum rate of 0.33 cubic feet per second (cfs) for irrigation of 42 acres of the Prairie Ridge Golf Course located in the SE ¼, S ½ NE ¼ Section 18-T2N-R9W. The applicant is requesting a diversion rate and volume greater than the statutory limit.

The requested annual period of use is April 1 through October 31.

Review of the Water Source and Existing Water Rights

The source of water for this application is from an unnamed creek and a direct tributary of box Elder Creek. This creek has a small drainage area of approximately 1,579 acres (~ 2.47 mi²) upstream from the diversion point. The United States Geological Survey (USGS) has designated this waterway as an intermittent stream. Intermittent streams are streams that flow only at certain times when they receive water from springs or from some surface water source such as melting snow or runoff from rainfall. Intermittent streams cannot be considered a reliable source of water.

Utilizing the USDA-NRCS method for estimating annual surface water yield for streams, the creek, at this site, has an 80% probability of yielding 22.7 acre-feet annually. The annual yield with a 50% probability is 56 acre-feet and the annual yield with a 20% probability is 160 acre-feet. The calculated application rates provided by the applicant, result in a need for 115 acre-feet of water annually to irrigate the golf course (2.74 acre-feet per acre annually).

There are no existing water rights authorized to divert water from this tributary of Box Elder Creek. The nearest existing water right authorized to divert water is Water Right No. 406-2 located downstream approximately 1.7 stream-miles below the confluence of this unnamed Creek and Box Elder Creek. This Water Right is licensed to appropriate 4.5 cfs of water from a separate unnamed tributary to Box Elder Creek located in Section 27-T2N-R9E for irrigation purposes. The water from this unnamed creek has received effluent from the sewage treatment plant at Ellsworth Air Force Base. The Base will be discontinuing operating their treatment plant, so the tributary will no longer receive an effluent discharge. This water right contains a qualification requiring that a minimum of 1 cfs is flowing in Box Elder Creek before diverting water from this tributary. The USGS has also designated this waterway as an intermittent stream.

Discussion

The applicant proposes to appropriate water from an unnamed tributary of Box Elder Creek into two holding ponds with 23.5 acre-feet of total storage capacity. The applicant intends to divert

water from the two holding ponds at a maximum rate of 0.33 cfs for irrigation of 42 acres of the Prairie Ridge Golf Course.

The applicant is requesting a diversion rate and volume greater than the statutory limit. South Dakota Codified Law (SDCL) 46-5-6 states in part that... *The Water Management Board may allow a greater diversion, in volume or rate or both, if the method of irrigation, any time constraints of water, or the type of soil so requires. However, no annual volume may be greater than three acre-feet per acre delivered to the land.*

Water for irrigation of the golf course has been provided primarily by effluent received from EAFB's sewage treatment plant. The treatment plant is in the process of being relocated and the effluent will no longer be available. The drainage area located above the holding ponds is relatively small and is unlikely to consistently yield sufficient water to supply their project. When conditions are favorable for run-off to occur, downstream domestic use and the by-pass requirement for the downstream water right would have a priority claim.

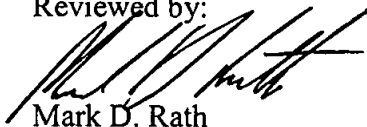
Conclusions

1. Water Permit Application No. 2727-2, proposes to appropriate water from an unnamed tributary of Box Elder Creek for irrigation of the Prairie Ridge Golf Course located in the SE ¼, S ½ NE ¼ Section 18-T2N-R9W.
2. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 irrigated acres and volume of water of 2 acre-feet per acre. The applicant requests this greater diversion rate and volume due to the requirements of the golf course turf.
3. The USGS has designated this waterway as an intermittent stream. During dry periods, intermittent streams cannot be considered a reliable source of water.
4. The drainage area located above the holding ponds is relatively small and is unlikely to consistently yield sufficient water to supply their project. When conditions are favorable for run-off to occur, downstream domestic use and the by-pass requirement for the downstream water right would have a priority claim.



Mike DeFea
Natural Resources Engineer II
DENR, Water Rights Program

Reviewed by:



Mark D. Rath
Natural Resources Engineer III
DENR, Water Rights Program

Affidavit of Publication

AUG - 4 2014

WATER RIGHTS
PROGRAM

STATE OF SOUTH DAKOTA

County of Pennington

SS:

July 23
L20880059

NOTICE OF APPLICATION NO. 2727-2 TO APPROPRIATE WATER

Notice is given that the United States Air Force, Ellsworth Air Force Base, c/o Kevin B Gover, 2125 Scott Dr, Ste 2128, Ellsworth AFB SD 57706 has filed an application for a water permit to appropriate water from an unnamed tributary of Box Elder Creek into 2 holding ponds (23.5 total storage capacity) located in the NE 1/4 SE 1/4 Section 18 to irrigate 42 acres of the Prairie Ridge Golf Course located in the SE 1/4, S 1/2 NE 1/4 Section 18; all in T2N-R9E. The water will be diverted from the holding ponds at a maximum rate of 0.33 cubic feet of water per second to the land. The applicant is requesting a diversion rate and volume greater than the statutory limit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2727-2 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 August 4, 2014.

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. Pinner, Secretary, Department of Environment and Natural Resources.

(Published once times at the total approximate cost of \$57.68).

Robert Evans 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 one successive week, the first publication there of being on the Twenty third day of July that the fees charged for the publication there of are fifty seven dollars and sixty eight cents.

Robert J Evans

Subscribed and sworn to before me this Twenty third day of July, 2014.

Kerri Berard

Notary public

KERRI BERARD
NOTARY PUBLIC

MY COMM. EXP. AUGUST 21, 2019

My commission expires

KERRI BERARD

NOTARY PUBLIC
SOUTH DAKOTA





DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



July 16, 2014

Rapid City Journal
PO Box 450
Rapid City SD 57701

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2727-2 to Appropriate Water. Please publish the notice once on July 23, 2014. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is United States Air Force; Ellsworth Air Force Base, c/o Kevin B Goyer, 2125 Scott Dr, Ste 2128, Ellsworth AFB SD 57706 (Ph # 605-385-2662).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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(S) RIGHT AWAY.**

July 16, 2014

United States Air Force
Ellsworth Air Force Base
Kevin B Goyer
2125 Scott Dr, Ste 2128
Ellsworth AFB SD 57706

Dear Mr. Goyer:

Water Permit Application No. 2727-2 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 Rapid City Journal printed at Rapid City SD (Ph # 605-394-8300). You will need to contact the newspaper(s) 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(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

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

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

Instruction to Newspaper - Publish the Notice on July 23, 2014. 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. 2727-2 to Appropriate Water

Notice is given that the United States Air Force; Ellsworth Air Force Base, c/o Kevin B Goyer, 2125 Scott Dr, Ste 2128, Ellsworth AFB SD 57706 has filed an application for a water permit to appropriate water from an unnamed tributary of Box Elder Creek into 2 holding ponds (23.5 total storage capacity) located in the NE 1/4 SE 1/4 Section 18 to irrigate 42 acres of the Prairie Ridge Golf Course located in the SE 1/4, S 1/2 NE 1/4 Section 18; all in T2N-R9E. The water will be diverted from the holding ponds at a maximum rate of 0.33 cubic feet of water per second to the land. The applicant is requesting a diversion rate and volume greater than the statutory limit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2727-2 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 August 4, 2014.

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 once at the total approximate cost of _____.



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



AUG 18 2014

USAF-Ellsworth Air Force Base
Kevin B Goyer
2125 Scott Dr # 2128
Ellsworth AFB SD 57706-6711

Dear Mr. Goyer:

Enclosed is Water Permit No. 2727-2 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,

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

enclosures

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2727-2

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

MAIL TO: PMB 2020

DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

ph. (605) 773-3352

Date

6/18/2017

FROM:

Kevin Goyer ELSWORTH AFB
(name)2125 SCOTT DRIVE, Ste 2128
(address)ELSWORTH AFB S.D. 57706-4711 605-385-2662
(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. 2727-2 states that the water use system is to be constructed by8/4/19, and water is to be put to beneficial use by 8/4/23
(date) (date)The water use system was completed on 10/2015
(date)Applying the water to beneficial use was completed on 10/2015
(date)

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

X Kevin Goyer
Q39 19 Jun 17





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

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NOV 15 2017

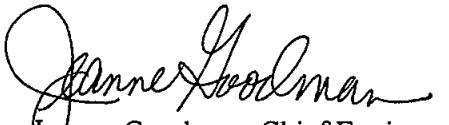
Ellsworth Air Force Base
c/o Kevin Goyer
2120 Scott Drive
Ellsworth AFB SD 57706

Dear Mr. Goyer:

Enclosed are Water Permit and License No. 2774-2. These are the final water right documents completing your process of obtaining a Water Right. Also, included 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

Note: The applicable portions of No. 2727-2 are incorporated into Water License No. 2774-2.

enclosures