



WATER-RIGHT DOCKET

Sand Creek Massacre National Historic Site

Docket No: 2

COMMERCIAL EXEMPT WELL

Preliminary Docket Information

01-08-2016: Docket Summary

DOCKET INFORMATION

Docket #: SAND 0002 Type (PC, APP, RIP, FRR, PWR, GW, ACQ): GW
Docket Title: Exempt Commercial Well
Park Unit: Sand Creek Massacre National Historic Site Region: Intermountain
State: Colorado County: Kiowa
Source: Groundwater ☒ Surface Water ☐ Source Name: also called "the potable well"
POD Name / Location: NE1/4 SW1/4 Section 30 T17S R45W
POU Name / Location: _____
Quantity: 15 gpm (limit) NTE 1/3 afy (108,600 gpy) (include units – gpm, afy, etc.)
Use(s): Commercial , _____ , _____
Application #: _____ Date: _____
Permit #: 271899 Date Issued: 12/13/2006
License / Certificate #: not administered Priority Date: N/A
Ruling/Order/Decree#: N/A Date Issued: N/A
Owner: National Park Service

Narrative / Remarks: (history, status, etc)

In September 2006, the NPS acquired land from the Cheyenne and Arapaho Tribes of Oklahoma where the point of diversion (POD) for the commercial-exempt well is located. This is also where the temporary administrative / visitors contact station is located and where the future visitors contact station will be located. In December 2006, Park staff filed a water well permit application for a commercial-exempt well for bathrooms and drinking water for the contact station at the Park. The range was incorrectly noted R46W on the application, this was corrected on the permit as R45W. As a part of the application, a construction variance was requested because the proposed shallow alluvial well would have less than 20 feet of watertight steel casing. The variance was approved and the Permit was issued by CDWR on December 13, 2006 (permit# 271899).

On March 11, 2007, the well was completed in alluvium to a total depth of 36 feet. The well is screened from 16 to 36 feet and has a static water level of approximately 8 feet below land surface (bls). Conditions of the initial well permit #271899 required abandonment of unregistered wells within the 40 acre parcel and abandonment of permitted well #13260R. As a result of a phone conversation between Park staff and CDWR the Park requested a modification to the permit so that Permit 13260R be made inactive, but not abandoned (Dan DiRezza - CDWR Division 2 Groundwater Enforcement Technician - informed Park Staff that a water right is associated with Permit #13260). Three unregistered wells within the parcel were plugged and abandoned on March 12, 2007. The original permit for the

commercial-exempt well (permit# 271899) was modified on August 22, 2007, noting that the well under Permit 13260R was not abandoned and remains valid.

According to permit #271899, water cannot be used for any purpose outside of the building structure, pumping cannot exceed 15 gallons per minute (gpm), and annual use cannot exceed 108,600 gallons. The Park must maintain permanent records of all pumping (recorded at least annually) and submit to the CDWR Division Engineer upon request. Monthly meter readings have been noted since August 2009.

Since SAND opened to the public in 2007, water use from this well has included drinking water, sanitation, a staff bathroom (with shower), and a kitchen (sink, dishwasher, and laundry). The well is treated to meet drinking water standards. Current visitor restrooms are vault toilets with no potable water. According to the GMP, new visitor restrooms will be installed, thereby increasing water use starting in approximately 2020. Water use may also increase if the number of on-site staff increases. If average water use per visitor is assumed to be 5 to 10 gallons, the permitted water use for the commercial-exempt well should be sufficient to meet the needs of between 10,000 and 22,000 visitors.

Compiled by: Gwen Gerber

Signature: 

Date: 1/8/2016

National Park Service
Water Resources Division -Water Rights Branch
1201 Oakridge Drive, Suite 250
Fort Collins, Colorado 80525

Form No.
GWS-25
OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES
 818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
 (303) 866-3581

859

WELL PERMIT NUMBER <u>271899</u>		-	-
DIV. 2	WD 67	DES. BASIN	MD

APPLICANT

SAND CREEK MASSACRE NATL HISTORIC SITE
 NATIONAL PARK SERVICE
 PO BOX 249
 EADS, CO 81036-

(719) 438-5916

APPROVED WELL LOCATION

KIOWA COUNTY
 NE 1/4 SW 1/4 Section 30
 Township 17 S Range 45 W Sixth P.M.

DISTANCES FROM SECTION LINES

1500 Ft. from South Section Line
 1899 Ft. from West Section Line

UTM COORDINATES (Meters Zone 13 NAD83)

Easting: 717553 Northing: 4269278

PERMIT TO CONSTRUCT A WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

Page 1 of 2

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(i) and the policy of the State Engineer for appropriation of ground water tributary to Arkansas River system.
- 4) Approved as the only well on a tract of land of 40.00 acre(s) described as the NE1/4 of the SW1/4, Section 30, T17S, R45W, Sixth P.M., Kiowa County.
- 5) The old two unregistered wells ~~and the well constructed under permit number 13260-R~~ must be plugged in accordance with Rule 16 of the Water Well Construction Rules within ninety (90) days of completion of the new well. The enclosed Well Abandonment Report form must be completed and submitted to affirm that the old well was plugged. (See Pg. 2 of Conds.)
- 6) The use of ground water from this well is limited to drinking and sanitary facilities as described in CRS 37-92-602(1)(c), for a commercial business. Water from this well shall not be used for lawn or landscape irrigation or for any other purpose outside the business building structure.
- 7) Production is limited to the alluvium of Sandy Creek or its tributaries. The depth of this well shall not exceed 40 feet or the depth at which sandstone or shale is first encountered, whichever comes first.
- 8) The pumping rate of this well shall not exceed 15 GPM.
- 9) The annual amount of ground water to be diverted by this well shall not exceed 1/3 acre-foot (108,600 gallons).
- 10) A totalizing flow meter must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (recorded at least annually) and submitted to the Division Engineer upon request.
- 11) This well shall be constructed not more than 200 feet from the location specified on this permit.
- 12) The return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
- 13) The well shall be constructed and maintained in accordance with variance no. 2006-191A, granted by the Board of Examiners of Water Well Construction and Pump Installation Contractors on December 13, 2006.

APPROVED
CDK

State Engineer

DATE ISSUED 12-13-2006

By

EXPIRATION DATE 12-13-2008

Receipt No. 3611585

Receipt No. 3611585

WELL PERMIT NUMBER

271899

Page 2

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

NOTICE: This permit has been approved subject to the following changes: The distances from section lines, quarter/quarter, quarter, Section, Township, Range and P.M. were determined from UTM coordinate values provided with the permit application. You are hereby notified that you have the right to appeal the issuance of this permit, by filing a written request with this office within sixty (60) days of the date of issuance, pursuant to the State Administrative Procedures Act. (See Section 24-4-104 through 106, C.R.S.) *OK 12/13/06*

NOTE: Condition of Approval No. 5 was modified pursuant to the applicant's written request dated 3/13/2007. The two unregistered wells have been plugged and abandoned as evidenced by the attached Well Abandonment Reports received on 8/21/2007. Well Permit No. 13260-R (W-3235, Dawson Well No. 1) remains valid. A replacement permit was approved on 8/22/2007 under Permit No. 13260-R-R. (JWB 8/22/2007)

FORM NO. GWS-32 02/2005	PUMP INSTALLATION AND TEST REPORT STATE OF COLORADO, OFFICE OF THE STATE ENGINEER 1313 Sherman St., Room 818, Denver, CO 80203 Info (303) 866-3587 Main (303) 866-3581 Fax (303) 866-3589 http://www.water.state.co.us	For Office Use Only RECEIVED MAR 19 2007 WATER RESOURCES STATE ENGINEER COLORADO												
1. WELL PERMIT NUMBER: <u>271899</u>														
2. WELL OWNER INFORMATION <u>Sand Creek Massacre NHS</u> NAME OF OWNER <u>National Park Service</u>														
MAILING ADDRESS <u>Po Box 249</u>														
CITY <u>Eads</u>	STATE <u>Co</u>	ZIP CODE <u>81036</u>												
TELEPHONE # <u>(719) 438-5916</u>														
3. WELL LOCATION AS DRILLED: <u>1/4</u> , <u>1/4</u> Sec. <u>30</u> , Twp. <u>17</u> ☐ N or ☒ S, Range <u>45</u> ☐ E or ☒ W DISTANCES FROM SEC. LINES: _____ ft. from ☐ N or ☐ S section line and _____ ft. from ☐ E or ☐ W section line. SUBDIVISION: _____ LOT _____ BLOCK _____ FILING (UNIT) _____ Optional GPS Location: GPS Unit must use the following settings: Format must be UTM, Units Easting: <u>717538</u> must be meters, Datum must be NAD83, Unit must be set to true N, ☐ Zone 12 or ☒ Zone 13 Northing: <u>4269270</u>														
STREET ADDRESS AT WELL LOCATION: _____														
4. PUMP DATA: Type: <u>Sub</u> Date Installed: <u>3-12-07</u> Pump Manufacturer: <u>Goulds</u> Pump Model No. <u>10 G505</u> Design GPM: <u>10</u> at RPM <u>3450</u> HP <u>1/2</u> Volts <u>230</u> Full Load Amps <u>4.9</u> Pump Intake Depth: <u>26</u> Feet, Drop/Column Pipe Size <u>1 1/2</u> inches, Kind of Drop Pipe <u>sed 80</u> ADDITIONAL INFORMATION FOR PUMPS GREATER THAN 50 GPM: Turbine Driver Type: ☐ Electric ☐ Engine ☐ Other _____ <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Design Head</td> <td style="width: 33%;">feet</td> <td style="width: 33%;">Number of Stages</td> </tr> <tr> <td></td> <td></td> <td>Shaft size</td> </tr> <tr> <td></td> <td></td> <td>inches</td> </tr> </table>			Design Head	feet	Number of Stages			Shaft size			inches			
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5. OTHER EQUIPMENT: Airline Installed ☐ Yes ☐ No, Orifice Depth ft. _____ Monitor Tube Installed ☐ Yes ☐ No, Depth ft. _____ Flow Meter Mfg. _____ Meter Serial No. _____ Meter Readout: ☐ Gallons, ☐ Thousand Gallons, ☐ Acre feet Beginning Reading _____														
6. TEST DATA: ☐ check box if Test Data is submitted on Supplemental Form. <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Date: <u>3-12-07</u></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> <tr> <td>Total Well Depth: <u>36</u> ft.</td> <td>Time: _____</td> <td></td> </tr> <tr> <td>Static Level: <u>8</u> ft.</td> <td>Rate (gpm): <u>15</u></td> <td></td> </tr> <tr> <td>Date Measured: <u>3-12-07</u></td> <td>Pumping Level (ft): <u>8</u></td> <td></td> </tr> </table>			Date: <u>3-12-07</u>			Total Well Depth: <u>36</u> ft.	Time: _____		Static Level: <u>8</u> ft.	Rate (gpm): <u>15</u>		Date Measured: <u>3-12-07</u>	Pumping Level (ft): <u>8</u>	
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7. DISINFECTION: Type <u>clorox</u> Amt. Used <u>1 gal</u>														
8. Water Quality analysis available: ☐ Yes ☒ No If yes, please submit with this report.														
9. Remarks: _____														
10. I have read the statements made herein and know the contents thereof, and they are true to my knowledge. This document is signed and certified in accordance with Rule 17.4 of the Water Well Construction Rules, 2 CCR 402-2. [The filing of a document that contains false statements is a violation of section 37-91-108(1)(e), C.R.S., and is punishable by fines up to \$5000 and/or revocation of the contracting license.]														
Company Name: <u>Kemps Well Service</u>	Phone: <u>(719) 767-5722</u>	License Number: <u>859</u>												
Mailing Address: <u>Box 414 Cheyenne Wells Co 80810</u>														
Signature: <u>George Kemp</u>	Print Name and Title: <u>George Kemp Owner</u>	Date: <u>3-17-07</u>												

Form No. GWS-09 6/2006	STATE OF COLORADO, OFFICE OF THE STATE ENGINEER 821 Centennial Bldg., 1313 Sherman St., Denver, CO 80203 (303) 866-3581 Fax (303) 866-3589 http://www.water.state.co.us	For Office Use Only RECEIVED MAR 19 2007 WATER RESOURCES STATE ENGINEER COLO.															
WELL ABANDONMENT REPORT Use to report plugging and sealing of permitted wells, monitoring and other holes. Type or print in black or blue ink. Instructions and plugging standards are on reverse side of form.																	
Well Permit Number of the well being plugged <u>2007093AB</u> or MH File Number MH- _____ Hole ID #/Name <u>unregistered</u>																	
Individual/Company responsible for plugging and sealing the well: NAME(S) <u>Kemp's Well Service</u> Mailing Address <u>Box 414</u> City, St., Zip <u>Cheyenne Wells Co 80810</u> Phone (719) <u>767-5722</u>																	
Well (Hole) Owner: <u>Sand Creek Massacre NHS</u> NAME(S) <u>National Park Service</u> Phone (719) <u>438 5916</u> Mailing Address, City, St., Zip <u>PO Box 249 Eads Co 81036</u>																	
ACTUAL WELL LOCATION: County <u>Kiowa</u> Property Address, City, St, Zip _____ 1/4 of the _____ 1/4, Sec. <u>30</u> , Twp. <u>17</u> ☐ N. or ☒ S., Range <u>45</u> ☐ E. or ☒ W., <u>6th</u> P.M. Distance from Section Lines _____ Ft. From ☐ N. or ☐ S., _____ Ft. From ☐ E. or ☐ W. Line. Subdivision Name _____ Lot _____, Block _____, Filing/Unit _____ Optional: GPS well location information in UTM format. You must check GPS unit for required settings as follows: Format must be UTM, zone 12 ☐ or zone 13 ☒ ; Units must be meters; Datum must be NAD83; Unit must be set to true north. Easting <u>71752</u> Northing <u>4269332</u>																	
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The well was plugged with the following materials placed at the indicated intervals: <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Amount and Type of Material</th> <th style="text-align: left;">Method of Placement</th> <th style="text-align: left;">Interval</th> </tr> </thead> <tbody> <tr> <td><u>sand</u></td> <td><u>Pour</u></td> <td>from <u>10</u> feet to <u>19</u> feet</td> </tr> <tr> <td><u>cement</u></td> <td></td> <td>from <u>5</u> feet to <u>10</u> feet</td> </tr> <tr> <td></td> <td></td> <td>from _____ feet to _____ feet</td> </tr> <tr> <td colspan="2">Intervals of casing removed/ripped in feet</td> <td>from <u>0</u> feet to <u>5</u> feet</td> </tr> </tbody> </table>			Amount and Type of Material	Method of Placement	Interval	<u>sand</u>	<u>Pour</u>	from <u>10</u> feet to <u>19</u> feet	<u>cement</u>		from <u>5</u> feet to <u>10</u> feet			from _____ feet to _____ feet	Intervals of casing removed/ripped in feet		from <u>0</u> feet to <u>5</u> feet
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Report <u>must</u> be signed by person who performed the well plugging work or by the well owner if this person is unknown or not reachable. I (we) have read the statements made herein, know the contents thereof, and that they are true to my (our) knowledge.																	
Signature(s) <u>George Kemp</u>	Please print the Signer's Name & Title <u>George Kemp Owner</u>	Date <u>3-17-07</u>															
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FORM NO. GWS-31 04/2005		WELL CONSTRUCTION AND TEST REPORT		For Office Use Only	
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER 1313 Sherman St., Room 818, Denver, CO 80203 Phone - Info (303) 866-3587 Main (303) 866-3581 Fax (303) 866-3589 http://www.water.state.co.us		RECEIVED MAR 19 2007 WATER RESOURCES STATE ENGINEER COLO.			
1. WELL PERMIT NUMBER: <u>271899</u>					
2. WELL OWNER INFORMATION <u>Sand Creek Massacre Natl Historic Site</u> NAME OF WELL OWNER: <u>National Park Service</u>					
MAILING ADDRESS: <u>P.O. Box 249</u>					
CITY: <u>Eds</u>		STATE: <u>Co</u>		ZIP CODE: <u>81036</u>	
TELEPHONE NUMBER: <u>(719) 438-5916</u>					
3. WELL LOCATION AS DRILLED: <u>1/4</u> , <u>1/4</u> , Sec. <u>30</u> , Twp. <u>17</u> ☐ N or ☒ S, Range <u>45</u> ☐ E or ☒ W DISTANCES FROM SEC. LINES: _____ ft. from ☐ N or ☐ S section line and _____ ft. from ☐ E or ☐ W section line. SUBDIVISION: _____, LOT _____, BLOCK _____, FILING (UNIT) _____ Optional GPS Location: GPS Unit must use the following settings: Format must be <u>UTM</u> , Units must be <u>meters</u> , Datum must be <u>NAD83</u> , Unit must be set to <u>true N</u> , ☐ Zone 12 or ☒ Zone 13 Owner's Well Designation: _____ Easting: <u>717538</u> Northing: <u>4269270</u> STREET ADDRESS AT WELL LOCATION: _____					
4. GROUND SURFACE ELEVATION <u>3969</u> feet		DRILLING METHOD <u>Rotary</u>			
DATE COMPLETED <u>3-11-07</u>		TOTAL DEPTH <u>37</u> feet		DEPTH COMPLETED <u>36</u> feet	
5. GEOLOGIC LOG:					
Depth	Type	Grain Size	Color	Water Loc.	
<u>0-15</u>	<u>Sandy clay</u>	<u>Fine</u>		<u>8</u>	
<u>15-36</u>	<u>sand</u>	<u>med</u>			
<u>36-37</u>	<u>shale</u>		<u>black</u>		
6. HOLE DIAM (in.) _____ From (ft) _____ To (ft) _____					
7. PLAIN CASING:					
OD (in)	Kind	Wall Size (in)	From (ft)	To (ft)	
<u>8"</u>	<u>steel</u>	<u>.188</u>	<u>0</u>	<u>10</u>	
<u>6"</u>	<u>PVC</u>	<u>.280</u>	<u>0</u>	<u>16</u>	
PERFORATED CASING: Screen Slot Size (in): <u>.020</u>					
<u>6"</u>	<u>PVC</u>	<u>.280</u>	<u>16</u>	<u>36</u>	
8. FILTER PACK:			9. PACKER PLACEMENT:		
Material <u>gravel</u>			Type _____		
Size <u>1/8</u>			Depth _____		
Interval <u>12-36</u>					
10. GROUTING RECORD					
Material	Amount	Density	Interval	Placement	
<u>No. 1 cement</u>	<u>6 sack</u>	<u>6 gal/sack</u>	<u>0-12</u>	<u>tremie</u>	
Remarks: _____					
11. DISINFECTION: Type <u>chlorox</u> Amt. Used <u>1 1/2 gal</u>					
12. WELL TEST DATA: ☐ Check box if Test Data is submitted on Form Number GWS 39 Supplemental Well Test.					
TESTING METHOD <u>sub</u>					
Static Level <u>8</u> ft.		Date/Time measured: <u>3-11-07</u>		Production Rate <u>25</u> gpm.	
Pumping Level <u>9</u> ft.		Date/Time measured: <u>3-11-07</u>		Test Length (hrs) <u>1</u>	
Remarks: _____					
13. I have read the statements made herein and know the contents thereof, and they are true to my knowledge. This document is signed and certified in accordance with Rule 17.4 of the Water Well Construction Rules, 2 CCR 402-2. [The filing of a document that contains false statements is a violation of section 37-91-108(1)(e), C.R.S., and is punishable by fines up to \$5000 and/or revocation of the contracting license.]					
Company Name: <u>Kemp's Well Service</u>		Phone: <u>019 1767-5722</u>		License Number: <u>859</u>	
Mailing Address: <u>Box 414 Choyano Wells Co</u>					
Signature: <u>George Kemp</u>		Print Name and Title: <u>George Kemp owner</u>		Date: <u>3-17-07</u>	



REPLY REFER TO:

MAR 15 2007

DIVISION ENGINEER
PUEBLO, COLORADO

United States Department of the Interior

RECEIVED

NATIONAL PARK SERVICE
Sand Creek Massacre National Historic Site
P.O. Box 249
Eads, CO 81036
719/438-5916



PN# 271899
RN# 3611585

March 13, 2007

Colorado State Division of Water Resources
310 E. Abriendo Ave. Suite B
Pueblo CO 81004
Attn: Ms. Janet Kuzniak

Dear Ms. Kuzniak:

Per a recent telephone conversation with Mr. Dan DiRezza, Groundwater Enforcement Technician in the Division of Water Resources LaJunta office, I am writing to request a modification to Permit #271899.

Our original permit request stated that we intended to abandon three wells at the Sand Creek Massacre National Historic Site: two are unregistered and one is registered but unused (Permit #13260R). Mr. DiRezza brought to my attention that the unused well has a water right associated with it and that it should be securely capped and sealed but not abandoned. Therefore, we are requesting a modification to our new permit, stipulating that the registered irrigation well will be made inactive, but will not be abandoned. The remaining two unregistered wells will still be abandoned as per our original permit.

Thank you very much for your attention to this matter. Should questions arise, please do not hesitate to contact me at the telephone number above.

Sincerely,

Alexa Roberts
Superintendent

cc: Dan DiRezza, Colorado Division of Water Resources
George Kemp, Kemp's Well Service
William Jackson, NPS Water Resources Division
Larry Martin, NPS Water Resources Division

Form No.
GWS-25
OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES
 818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
 (303) 866-3581

859

WELL PERMIT NUMBER 271899
 DIV. 2 WD 67 DES. BASIN MD
APPLICANT
 SAND CREEK MASSACRE NATL HISTORIC SITE
 NATIONAL PARK SERVICE
 PO BOX 249
 EADS, CO 81036-

(719) 438-5916

APPROVED WELL LOCATION
 KIOWA COUNTY
 NE 1/4 SW 1/4 Section 30
 Township 17 S Range 45 W Sixth P.M.
DISTANCES FROM SECTION LINES
 1500 Ft. from South Section Line
 1899 Ft. from West Section Line
UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting: 717553 Northing: 4269278

PERMIT TO CONSTRUCT A WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

Page 1 of 2

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(i) and the policy of the State Engineer for appropriation of ground water tributary to Arkansas River system.
- 4) Approved as the only well on a tract of land of 40.00 acre(s) described as the NE1/4 of the SW1/4, Section 30, T17S, R45W, Sixth P.M., Kiowa County.
- 5) The old two unregistered wells and the well constructed under permit number 13260-R must be plugged in accordance with Rule 16 of the Water Well Construction Rules within ninety (90) days of completion of the new well. The enclosed Well Abandonment Report form must be completed and submitted to affirm that the old well was plugged.
- 6) The use of ground water from this well is limited to drinking and sanitary facilities as described in CRS 37-92-602(1)(c), for a commercial business. Water from this well shall not be used for lawn or landscape irrigation or for any other purpose outside the business building structure.
- 7) Production is limited to the alluvium of Sandy Creek or its tributaries. The depth of this well shall not exceed 40 feet or the depth at which sandstone or shale is first encountered, whichever comes first.
- 8) The pumping rate of this well shall not exceed 15 GPM.
- 9) The annual amount of ground water to be diverted by this well shall not exceed 1/3 acre-foot (108,600 gallons).
- 10) A totalizing flow meter must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (recorded at least annually) and submitted to the Division Engineer upon request.
- 11) This well shall be constructed not more than 200 feet from the location specified on this permit.
- 12) The return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
- 13) The well shall be constructed and maintained in accordance with variance no. 2006-191A, granted by the Board of Examiners of Water Well Construction and Pump Installation Contractors on December 13, 2006.

APPROVED
CDK

State Engineer

DATE ISSUED 12-13-2006

By

EXPIRATION DATE 12-13-2008

Receipt No. 3611585

Receipt No. 3611585

WELL PERMIT NUMBER 271899 - -

Page 2

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

NOTICE: This permit has been approved subject to the following changes: The distances from section lines, quarter/quarter, quarter, Section, Township, Range and P.M. were determined from UTM coordinate values provided with the permit application. You are hereby notified that you have the right to appeal the issuance of this permit, by filing a written request with this office within sixty (60) days of the date of issuance, pursuant to the State Administrative Procedures Act. (See Section 24-4-104 through 106, C.R.S.) *CDL 12/13/06*

STATE OF COLORADO

3611585

BOARD OF EXAMINERS OF WATER WELL CONSTRUCTION AND PUMP INSTALLATION CONTRACTORS Division of Water Resources

1313 Sherman Street, Room 818
Denver, CO 80203
Phone (303) 866-3581
FAX (303) 866-3589

<http://www.water.state.co.us/boe>

December 13, 2006



Bill Owens
Governor

Russell George
Executive Director, DNR

Hal D. Simpson, P.E.
Secretary

Alexa Roberts, Superintendent
National Park Service
Sand Creek Massacre National Historic Site
P.O. Box 249
Eads, Colorado 81036

RE: Request for Approval for Non-Standard Construction of a Well, Well Permit Application
Receipt No. 3611585, Located in the NE ¼ of the SW ¼, Section 30, Township 17
South, Range 45 West, Sixth P.M., Kiowa County.

Request No: 2006-191A

Dear Ms. Roberts:

A written request to allow non-standard construction of your well was submitted by your water well construction contractor, George Kemp of Kemp's Well Service, on December 8, 2006 along with well permit application receipt no. 3611585. The request has been reviewed for the Board of Examiners of Water Well Construction and Pump Installation Contractors. The request is specifically for approval to install less than twenty (20) feet of watertight steel casing (Rule 10.4.2/10.4.3) and less than ten (10) feet of continuous cement grout from a depth of at least nineteen (19) feet upward (Rule 10.7.1).

Based on the information provided and pursuant to Rule 18, and the authority granted by the Board, the proposed construction is approved subject to the following conditions:

1. The well construction shall be in accordance with the Water Well Construction Rules except those Rules for which a variance is granted herein. Unless written approval for a modification to this variance is obtained, all conditions and requirements of this variance approval shall be satisfied, or the entire variance shall be void, and all standards of the Construction Rules applicable. Construction of the well closer than the minimum distances specified in Rule 10.2.2 will void all provisions of this variance.
2. The well shall be constructed in accordance with the diagram submitted on December 8, 2006, except for those modifications stated herein.
3. Watertight steel casing shall be placed to a depth of at least ten (10) feet below the ground surface or to within one foot of the static water level in the well, whichever depth is greater. The steel casing need not exceed a depth of nineteen feet as provided in Rule 10.4.7.1.
4. Cement grout shall be placed in the interval from at least ten (10) feet below the ground surface upward to the ground surface or to within one foot of the static water

TIMOTHY L. DECKER, Montrose; JOSEPH T. BENDER, Arvada; JEFFREY K. CANFIELD, Fort Morgan; GREG NAUGLE, Denver

3611585

level in the well, whichever depth is greater. The grout need not exceed a depth of nineteen feet as provided in Rule 10.7.1.

5. The ground surface must be properly graded to provide drainage away from the well head.
6. The well must be constructed in compliance with the disinfection standards provided in Rules 6.9 and Rule 15.
7. If water from the well is used for human consumption, an annual water quality test is recommended.

The owner and constructor are advised that Rule 6.6 of the Well Construction Rules requires that the construction comply with any federal, state, county, municipal or local government laws, regulations or codes that are more stringent than these Rules, including distance requirements from sources of contaminants, or contain standards not covered by these Rules.

Approval of this request does not relieve the owner of potential responsibility or liability in the event contamination of the water source results from construction, nor does the grantor assume any responsibility or liability should contamination occur.

Sincerely,



Michael Schaub, P.G.
Geotechnical Services Branch

cc: Well Permit File
George Kemp

To: Geotechnical Staff
From: Clay Kimmi
CC:
Date: 12/12/06
RE: Receipt Number 3611585

The applicant is seeking a variance to the well construction rules. Please review the application to determine if a variance can be granted.

The applicant is also seeking an alluvial well. The well is located in an area covered by the Dakota program. Please determine the depth of the alluvium.

Thanks

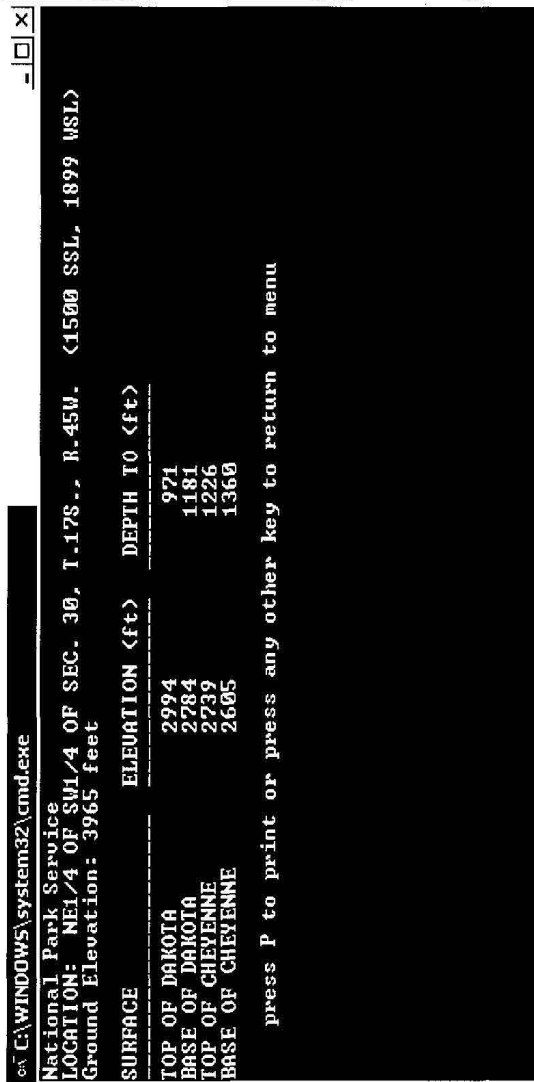
Clay Kimmi

For an alluvial well maximum depth not to exceed ⁴⁰~~35~~ feet or the top of the first shale/sandstone encountered, whichever is shallower.

Reference well permit # 168175-A.

u

See attached variance approval.





United States Department of the Interior

NATIONAL PARK SERVICE
Sand Creek Massacre NHS
35110 Highway 194 East
La Junta, CO 81050
719-383-5051



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WATER RESOURCES
STATE ENGINEER
COLO.

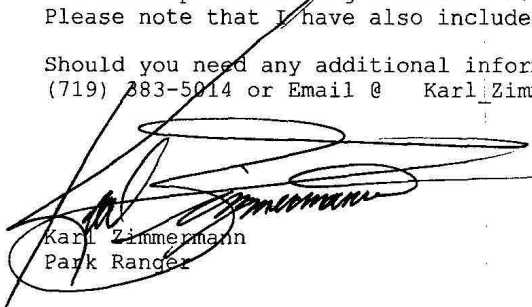
December 5, 2006

Mr. Clay Kimmi
Colorado Division of Water Resources
1313 Sherman Street
RM 818
Denver, Colorado 80203

Dear Sirs,

Attached is a completed new well application form for Sand Creek Massacre National Historic Site. The application includes a well drawing by Kemps' Well Service, who will drill the well, and two maps indicating the wells location in Kiowa County. Please note that I have also included the required fee of \$100.

Should you need any additional information please contact me at (719) 383-5014 or Email @ Karl.Zimmermann@nps.gov.


Karl Zimmermann
Park Ranger

TAKE PRIDE[®]
IN AMERICA 

COLORADO DIVISION OF WATER RESOURCES DEPARTMENT OF NATURAL RESOURCES 1313 SHERMAN ST, RM 818, DENVER, CO 80203 phone - info: (303) 866-3587 main: (303) 866-3581 fax: (303) 866-3589 http://www.water.state.co.us		Office Use Only Form GWS-45 (06/2006)	
GENERAL PURPOSE Water Well Permit Application Review instructions on reverse side prior to completing form. The form must be completed in black or blue ink or typed.		RECEIVED DEC 08 2006 WATER RESOURCES STATE ENGINEER COLO.	
1. Applicant Information Name of applicant National Park Service Sand Creek Massacre National Historic Site Mailing address P. O. Box 249 City Eads State Co Zip code 81036 Telephone # (719) 438-5916 E-mail (Optional) Karl.Zimmermann@nps.gov		6. Use Of Well (check applicable boxes) Attach a detailed description of uses applied for. ☐ Industrial ☒ Other (describe): <i>Exempt Commercial</i> ☐ Municipal <i>Bath room & drinking water</i> ☐ Irrigation <i>for Visitor center at Park</i> ☐ Commercial	
2. Type Of Application (check applicable boxes) ☒ Construct new well ☐ Use existing well ☐ Replace existing well ☐ Change or increase use ☐ Change source (aquifer) ☐ Reapplication (expired permit) ☐ Other:		7. Well Data (proposed) Maximum pumping rate 15 gpm Annual amount to be withdrawn 1 acre-feet Total depth 50 feet Aquifer alluvial	
3. Refer To (if applicable) Well permit # Water Court case # Designated Basin Determination # Well name or #		8. Land On Which Ground Water Will Be Used Legal Description (may be provided as an attachment): (If used for crop irrigation, attach a scaled map that shows irrigated area.) A. # Acres 40 B. Owner	
4. Location Of Proposed Well County Kiowa NE 1/4 of the SW 1/4 Section 30 Township 17 N or S Range 46 E or W Principal Meridian 6th Distance of well from section lines (section lines are typically not property lines) Ft. from N S E W For replacement wells only - distance and direction from old well to new well feet direction Well location address (Include City, State, Zip) ☐ Check if well address is same as in Item 1.		C. List any other wells or water rights used on this land: <i>Permit # 13260 - 2 unpermitted to be abandoned</i> 9. Proposed Well Driller License # (optional): 859	
Optional: GPS well location information in UTM format. You must check GPS unit for required settings as follows: Format must be UTM ☐ Zone 12 or 13 ☒ Zone 13 Units must be Meters Datum must be NAD83 Unit must be set to true north Was GPS unit checked for above? ☒ YES Remember to set Datum to NAD83		10. Signature Of Applicant(s) Or Authorized Agent The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104 (13)(a). I have read the statements herein, know the contents thereof and state that they are true to my knowledge. Sign here (Must be original signature) Date <i>Alexa Roberts</i> 12-05-06 Print name & title Alexa Roberts, Superintendent 11/29/06	
5. Parcel On Which Well Will Be Located (PLEASE ATTACH A CURRENT DEED FOR THE SUBJECT PARCEL) A. Legal Description (may be provided as an attachment): <i>T17S R45W Sec 30</i>		Office Use Only USGS map name Kit Carson 4 SE DWR map no. 58 P Surface elev. 3965 Within area for the Dakota program R45W S1500 W1399 not to exceed 920 ft Receipt area only well permit # Trans Number: 3811585 12/8/2006 2:12:14 PM D260-R Yolanda Johnson (14) Total Trans Amt: \$100.00 CHECK Check Number: 1310200023 Check Amount: \$100.00	
B. # of acres in parcel 40 C. Owner National Park Service		WE ☒ WR ☒ CWCB ☒ TOPO MYLAR SB5 DIV 2 WD 67 BA MD	
D. Will this be the only well on this parcel? ☒ YES ☐ NO (if no - list other wells)		E. State Parcel ID# (optional):	

Colorado Division of Water Resources
1313 Sherman St. Rm. 818
Denver, CO 80203
(303) 866-3581
<http://water.state.co.us/default.htm>

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WATER RESOURCES
STATE ENGINEER
COLORADO

Application Receipt No. _____

Applicant's Name: _____

COMMERCIAL DRINKING AND SANITARY WELL WORKSHEET

Name and Type of Business US National Park Service, Sand Creek Massacre National Historic Site

1. Is this application for a new well?

☒ Yes☐ No If no, is this application for a change of use for an existing well?☐ Yes

Permit Number of well (if applicable) _____

☐ No

For wells used for drinking and sanitary purposes prior to May 8, 1972, a field inspection of the well to verify historic uses is required. See form GWS-12 *Registration of Existing Well* for further information.

2. Is another source of water available to the property? (i.e. water district or another well)

Yes If yes, indicate what this other source is _____

(name of water district or well permit number)

☒ No *Note there are 3 unused wells on this site, all will be abandoned to spec.*

3. Type of disposal system:

☒	Septic tank/absorption leach field
☐	Central System (district name:)
☐	Vault (location sewage hauled to:)
☐	Other (attach copy of engineering design)

4. Water Demand Calculations (for average factors for water demand see below)

Employees

Number of Employees	X	Number of Gallons per Employee per Day	X	Number of Days Employee Works per Year	=	Gallons per Year
5	X	15	X	270	=	20,250

A

Customers

Number of Customers per Day	X	Number of Gallons per Customer	X	Number of Days Business is Open per Year	=	Gallons per Year
50	X	5	X	365	=	91,250

B

Other Uses (Note: No uses outside of the building would be permitted for these types of wells)

Type of Use	X	Gallons per Use per Day	X	Days per Year	=	Gallons per Year
	X		X		=	

C

Total amount of water required:

=	Gallons per Year (A + B + C)
=	13 acre-foot

For wells used for commercial drinking and sanitary purposes on and after May 8, 1972, the total water demand cannot exceed 108,600 gallons (1/3 of an acre-foot) per year.

For wells used for commercial drinking and sanitary purposes prior to May 8, 1972, the total water demand cannot exceed 325,900 gallons (1 acre-foot) per year.

General Guidelines for Water Demand in Gallons per Day

Day Workers at Offices - 15 gallons/person/day

Food Service Establishments (with toilet and kitchen wastes) - 10 gallons/patron/day

Churches (does not include food service) - 5 gallons/seat/day

Overnight Lodging - 50 gallons/customer/day

On-Site Proprietor of Overnight Lodging (i.e. on-site owner of a Bed & Breakfast) - 80 gallons/person/day

Additional water demand figures may be obtained from a private water consultant or from a technical reference on this subject.

GWS-57
11/99

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WARRANTY DEED

WATER RESOURCES
STATE ENGINEER
COLO.

The Cheyenne and Arapaho Tribes of Oklahoma, Grantor, a federally recognized Indian tribe, in consideration of the benefits to accrue to the Grantor, hereby donates and conveys in trust, as provided in Public Law 109-45, to the United States of America the following real property in the County of Kiowa and State of Colorado, to wit:

Township 17 South, Range 45 West of the 6th P.M.
Section 30: Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ (ada All)

Township 17 South, Range 46 West of the 6th P.M.
Section 24: E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 25: All

With all its appurtenances, and warrants the title to the same, subject to the following provision:

The Cheyenne and Arapaho Tribes of Oklahoma understand that the above described property will become part of the Sand Creek Massacre National Historic Site once that site is established by the Secretary of the United States Department of the Interior.

The Tribal Resolution authorizing this conveyance is attached to this warranty deed as Exhibit B.

Print name and title:

Darrell Flyingman
DARRELL FLYINGMAN
Governor

State of Oklahoma)
County of Canadian) ss.

The foregoing instrument was acknowledged before me on September 9, 2006, by Darrell Flyingman as the duly qualified and fully authorized representative of the Cheyenne and Arapaho Tribes of Oklahoma.

Susan H. Hart
Notary Public
#06000789
EXP. 01/20/10

My commission expires: 1/20/10

e. Sun Y. Ho
Notary public

This instrument is accepted on behalf of the United States of American, Department of the Interior, National Park Service, by Glenna F. Vigil, Realty Officer, Land Resources Program Center, Intermountain Region.

Date: _____, 2006

By: _____
Glenna F. Vigil
Realty Officer, Land Resources

Kemp's Well Service

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WATER RESOURCES
STATE ENGINEER
COLO.

George Kemp

**P.O. Box 414
44855 Co. Rd. Q.4
Cheyenne Wells, CO
80810**

**CO License # 859
KS License # 213
Phone: (719) 767-5722
Fax: (719) 767-5327**

TO: Alexa Roberts

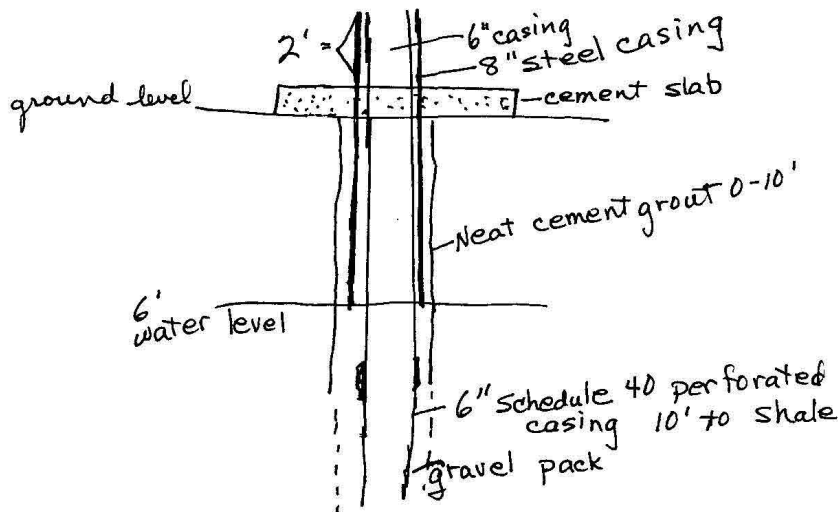
FAX NUMBER: 719-438-5410

DATE: 9-5-06

NUMBER OF PAGES (INCLUDING THIS ONE): _____

MEMO: *We will need a variance to the 19' of steel + grout to 10' as water level in this area is 6' and shale depth is about 20'.*

Proposed construction is for 10' of steel grouted to surface with 5' x 5' x 6" cement slab at ground level.



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1:100K Topo Maps

1:250K Topo Maps

Automatic selection

Map Size

Small

Medium

Large

View Scale

1:50,000

Coordinate Format

UTM

Map Datum

NAD27

☒ Show target

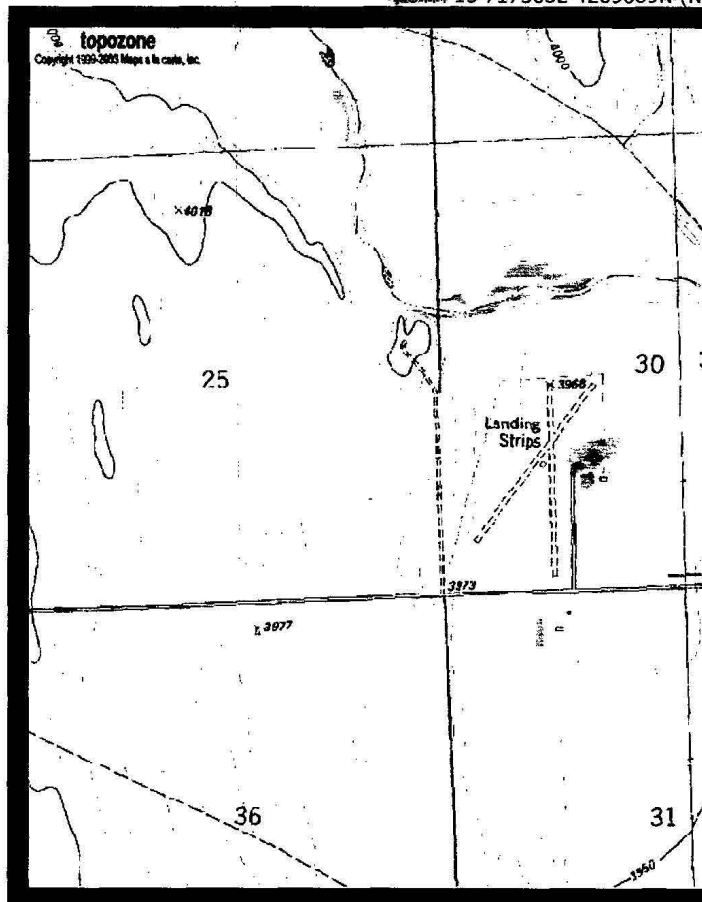
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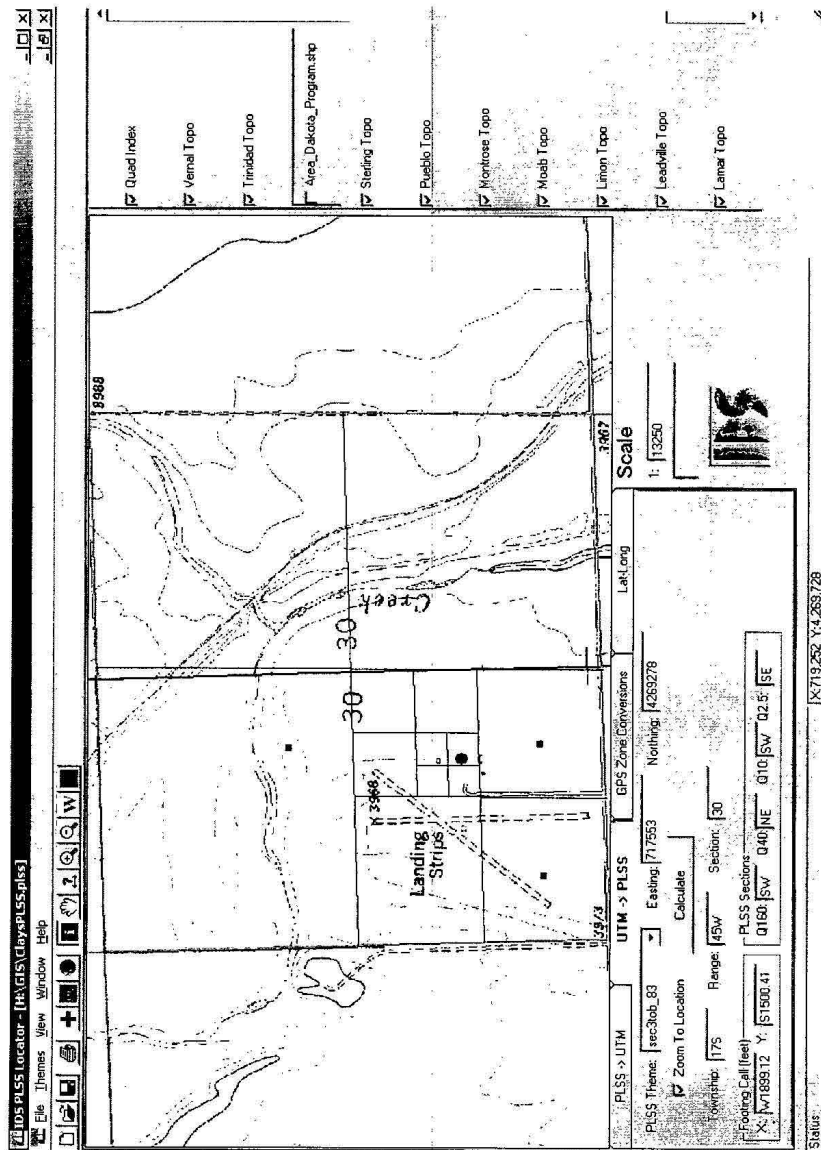


USGS North of Chivington (CO) 1
View TopoZone Pro topographic maps, aerial photos, street maps



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<http://www.topozone.com/map.asp?lat=38.5455&lon=-102.50362&datum=nad27&u=4&...> 11/29/2006



Docket Information

Number of Documents in Docket 23

Documents Dated from 12/5/2006 to 1/8/2016

Docket Compiled: 1/27/2016