

Considered: _____

WATER PERMIT NO. 1338-1

MAP No. same

Name of Applicant Black Hills Petrified Forest Campground

Post Office Address Piedmont Rt. Box 766 Piedmont S.D.

Amount of Water Claimed 0.10 cfs Total Acres _____

Source of Water Supply Groundwater Well

Water to be used for com County Mead

About 2 miles E of Piedmont.

PROOF OF PUBLICATION: Received 8-28-85 Not Received _____

APPLICATION: Approved 10-16-85 Subject to _____

F.F.& C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received ~~5-1-85~~ 5-1-85 Fee \$50⁰⁰ Remarks fee

5-1-85 received 6-20-85

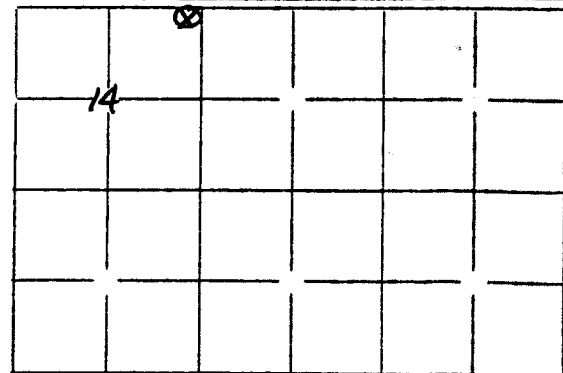
Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED N.A. APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point NE⁴ NE⁴ sec. 14 T3N-R6E

Land to be Irrigated _____



Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well 100 ft REMARKS no log available

Type of Map Plat PREPARED BY Warren Fish Reviewed and the Number

assigned on 6-25-85 By Kevin C. Larson

Supplemental Information

(type or print in ink)

1. Well Information - ~~Proposed construction~~ WELL IS AT LEAST 50 YEARS OLD

- a) Drill Hole Diameter 6" Depth 100'
- b) Casing Type Steel Diameter 6" Thickness Unknown
- c) Screen Type Unknown Diameter Unknown Thickness Unknown
- d) Gravel Pack Thickness Unknown Length of Gravel Pack Unknown
- e) Depth to Top of Water Bearing Material Unknown
- f) Depth of Water (ground surface to water level) Aprox 20'
- g) Distance to nearest existing domestic well: Aprox 2000'
- On applicants property Yes On property owned by others N/A

2. Dugout Information Estimates

- a) Surface Dimensions N/A Depth N/A
- b) Depth to water (ground surface to water level) N/A

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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

N/A

b) Freeboard

c) Crest Width

Crest Length

d) Height

e) Outlet Dimensions:
Pipe diameter

Spillway width

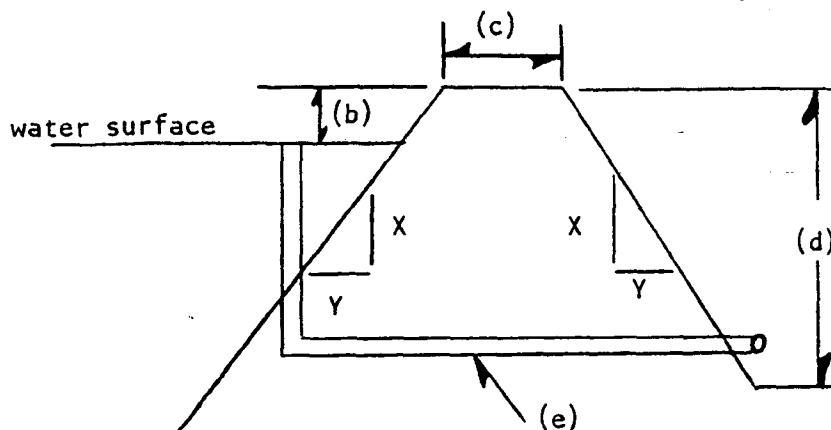
f) X & Y Slope
Upstream

Downstream

Surface Area of Impoundment

Storage acre feet

Drainage area above dam



Scott Teichert
Signature of Applicant

No. <u>1338-1</u>	Hydrologic Unit <u>1012011</u>
Map No. <u>same</u>	Basin <u>Upper Cheyenne</u>
Newspaper <u>Meade Co. Times</u>	

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

Check use of water: Industrial ☐ Commercial ☒ Municipal ☐ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☒
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. N/A with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ N/A☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. N/A☐ Construction to use water reserved by Future Use Permit No. N/A1. Name of Applicant BLACK HILLS PETRIFIED FOREST CAMPGROUND Phone No. 787-4560Post Office Address PIEDMONT RT., BOX 766, PIEDMONT, S.D. State 57769
(Street, RR or Box) Zip Code2. Amount of water claimed (c.f.s.) NO WAY OF KNOWING 0.103. Source of water supply Private well4. Location of point of diversion On the CampgroundNE 1/4 NE 1/4 Section 14, T3N, R6EMeade County Meade5. Counties where water will be used Meade6. Annual period during which water is to be used June, July, August

7. Give a brief description of proposed 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)

THIS WELL HAS BEEN IN EXISTANCE FOR AT LEAST 50 YEARS AND HAS BEEN
 USED SINCE 1964 FOR OUR CAMPGROUND. AS FAR AS I KNOW, NO WELL
 LOG EXISTS

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map
(see instruction)STATE OF SOUTH DAKOTA)
County of MEADE)^{ss}

I, GERALD E. TEACHOUT the applicant, certify that I have read
 the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and
 am able to complete the necessary construction.

Signed Gerald E. TeachoutSubscribed and sworn to before me this 17 day of June 19 85My Commission Expires
July 22, 1991Edith Phelps
Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1338-1

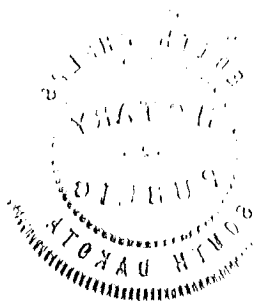
Black Hills Petrified Forest Campground Piedmont Rt. Box 766, Piedmont
 (Applicant) (Post Office Address)
South Dakota 57769 With the following qualifications.
 (State) (Zip Code)

The well approved under this Permit is located near domestic 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.

Date of first receipt of application May 1, 19 85
 Date of return to applicant for correction, amendments or changes required May 2, 19 85
 Date of receipt of corrected application June 20, 19 85 Approved October 16, 19 85

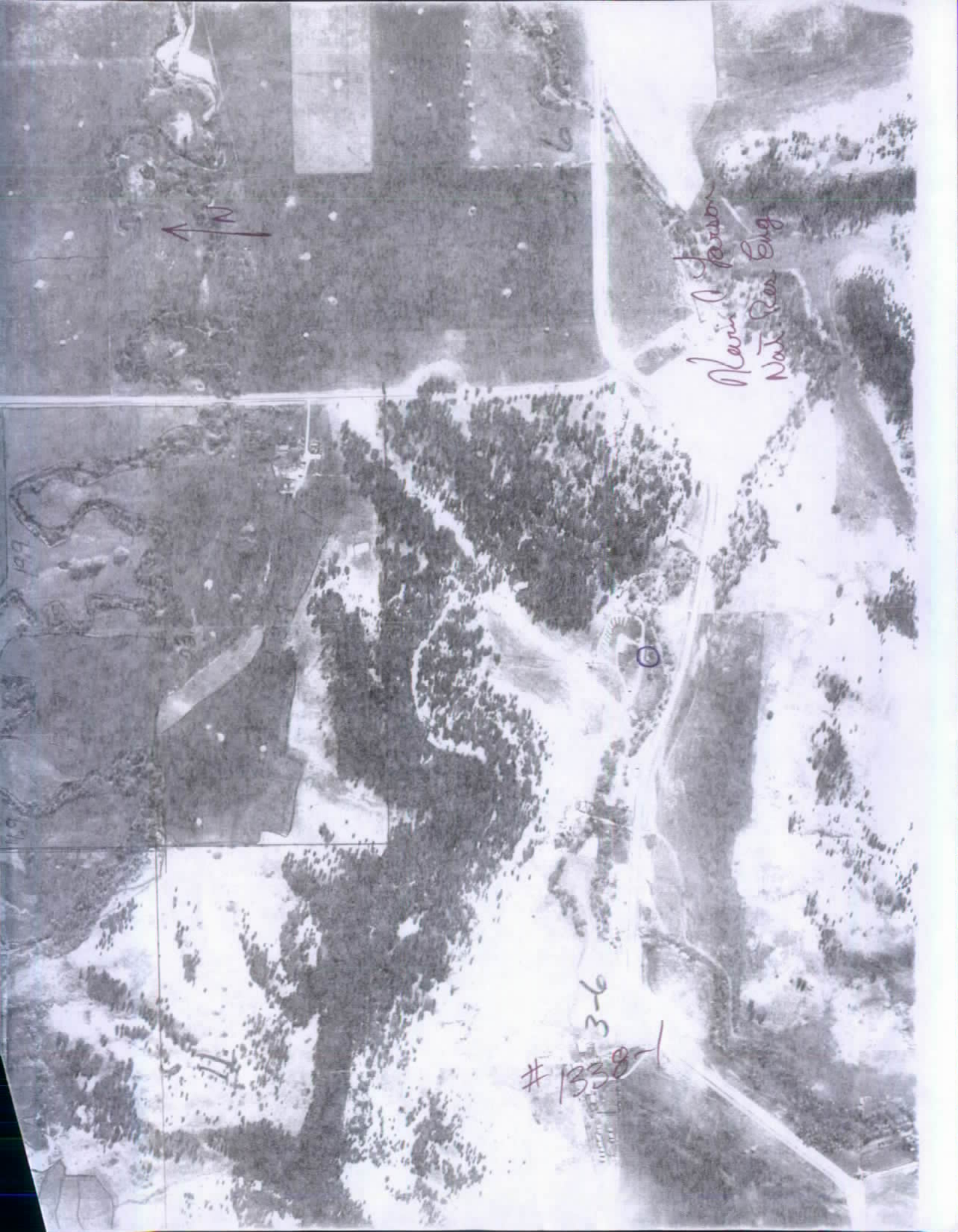
The Water Management Board hereby approves this Water Permit No. 1338-1 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is May 1, 19 85.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before , 19 .
3. The whole of said work is ~~to be completed on or before~~ , 19 .
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is , 19 .
5. The water appropriated shall be used for the purpose of commercial campground water supply
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.10 cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served and to which water is actually and beneficially applied for commercial use ~~on or before~~ , 19 ; said water to be used during the following described annual period: June 1 to August 31



WATER MANAGEMENT BOARD
 By: John H. [Signature]
 Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
NOV 19 1985

_____, 19____



N

Kevin O. Janson
Nat. Res. Eng.

O

3-6
#1338-1

611

612



WELL

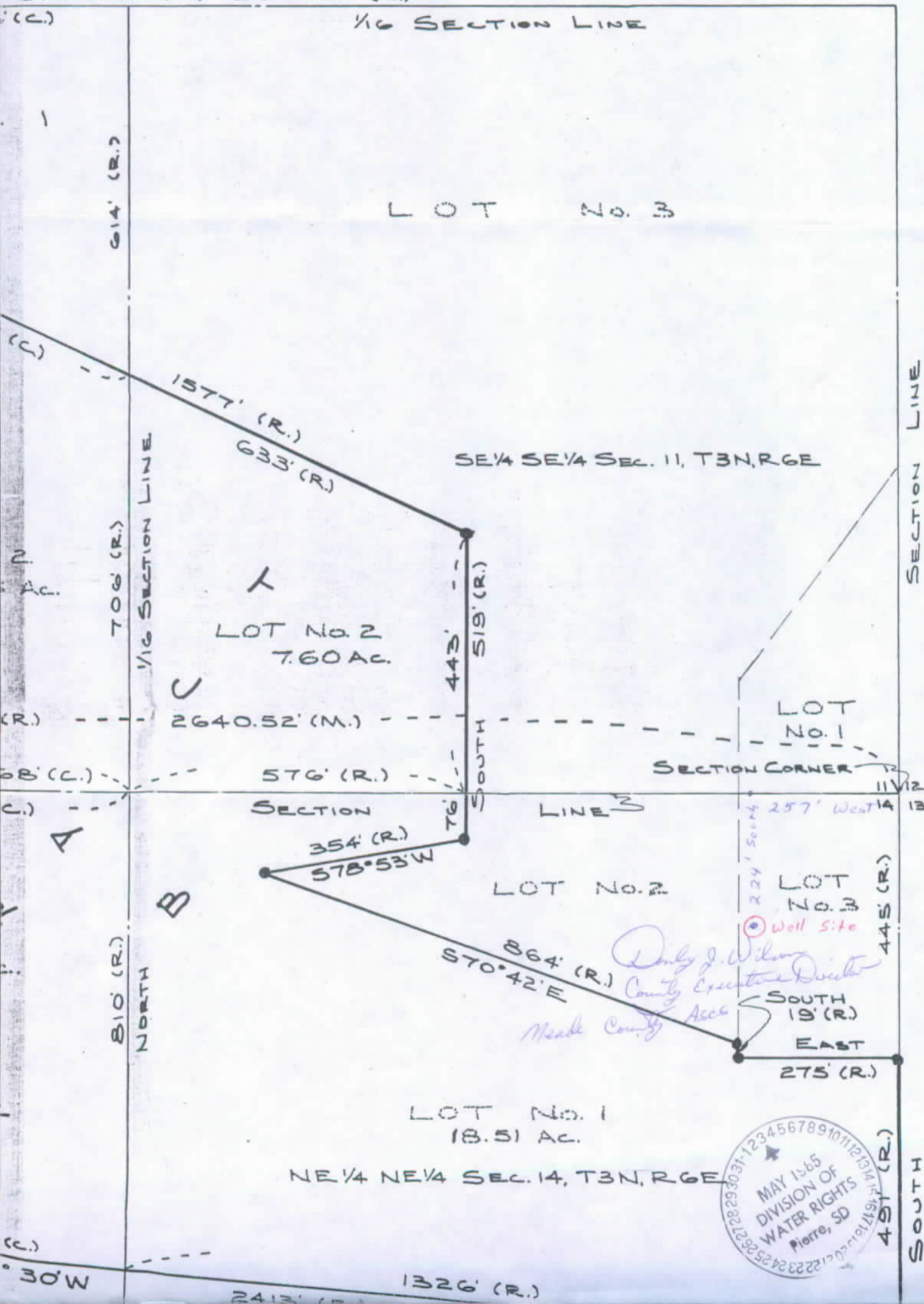
Kevin J. Larson
Nat. Res. Eng.

#1338-1

S A AND B OF BOYLAN SUBDIVISION

SE 1/4 SEC. 11, NW 1/4 NE 1/4 SEC. 14, AND THE NE 1/4 NE 1/4 SEC. 14
 SE 1/4 SEC. 11, LOT 2 OF THE SE 1/4 SE 1/4, SEC. 11, LOT 2 OF THE
 NE 1/4 NE 1/4 SEC. 14, ALL BEING LOCATED IN
 RGE, B.H.M., MEADE COUNTY, SOUTH DAKOTA.

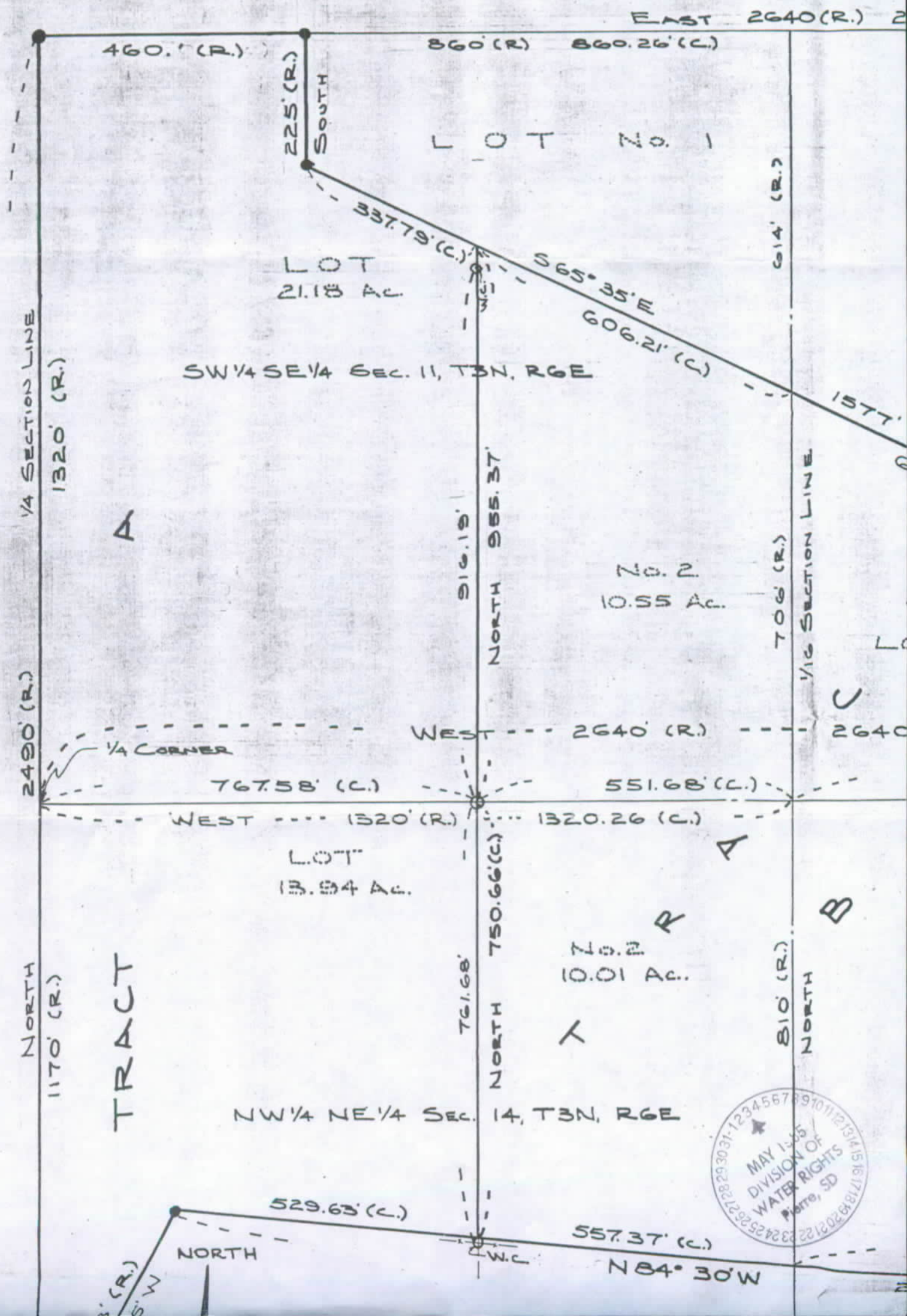
2640 (R.) 2640.52' (C.)



PA 10 B 103

PA 10 P 103

LOCATED IN THE SW 1/4 SE 1/4 SEC. 11, SE 1/4 SE 1/4 SEC. 11, NW 1/4 N
AND INCLUDING LOT 2 OF THE SW 1/4 SE 1/4 SEC. 11, LOT 2
NW 1/4 NE 1/4 SEC. 14, AND LOT 1 OF THE NE 1/4 NE 1/4 SEC.
T3N, R6E, B.H.M., MEA



NE 1/4 NE 1/4 SEC. 14, T3N, R6E

491' (R)
1326' (R.)
2413' (R.)
30' W

- CORNER OF RECORD
 - CORNER SET THIS SURVEY (5/8" + REBAR)
 - W.C. WITNESS CORNER SET IN EXISTING FENCE LINE
 - R. RECORDED DATA
 - M. MEASURED THIS SURVEY
 - C. CALCULATED THIS SURVEY
- ALL BEARINGS SHOWN ABOVE AND ALL LOTS NOTED ABOVE ARE OF RECORD.

SECTION LINE

SURVEYOR'S ACKNOWLEDGEMENT

State of South Dakota, County of Pennington, ss

On the 26th day of December, 1976, before me a Notary Public, appeared Warren L. Fisk, known to me to be the person described in the foregoing instrument, and acknowledged to me that he signed the same.

James J. Wendland
James J. Wendland, Notary Public
My Commission Expires November 12, 1984

OWNERS ACKNOWLEDGEMENT

State of South Dakota
County of Meade ss

On the 1 day of March, 1977, before me a Notary Public, personally appeared Basil L. Boylan and Maxine H. Boylan, known to me to be the persons described in the foregoing instrument and acknowledged to me to that they signed the same.

John Waterland
Notary Public
April 21, 1983
My Commission Expires

MEADE COUNTY, S.D.
APPROVED

MAR 2 1977

Joe Buehl
CHAIRMAN

CERTIFICATE OF COUNTY ASSESSOR

Copy of plat received in the Office of the County Assessor, this 2 day of MARCH, 1977

De R. Buehl
Meade County Assessor

Approved by the Planning Commission of Meade County, this 28 day of Feb, 1977

Signed: Edwin Parcell
CO-Chairman

Attest: Ruth Anderson
Secretary

#3300

STATE OF SOUTH DAKOTA, COUNTY OF MEADE-SS

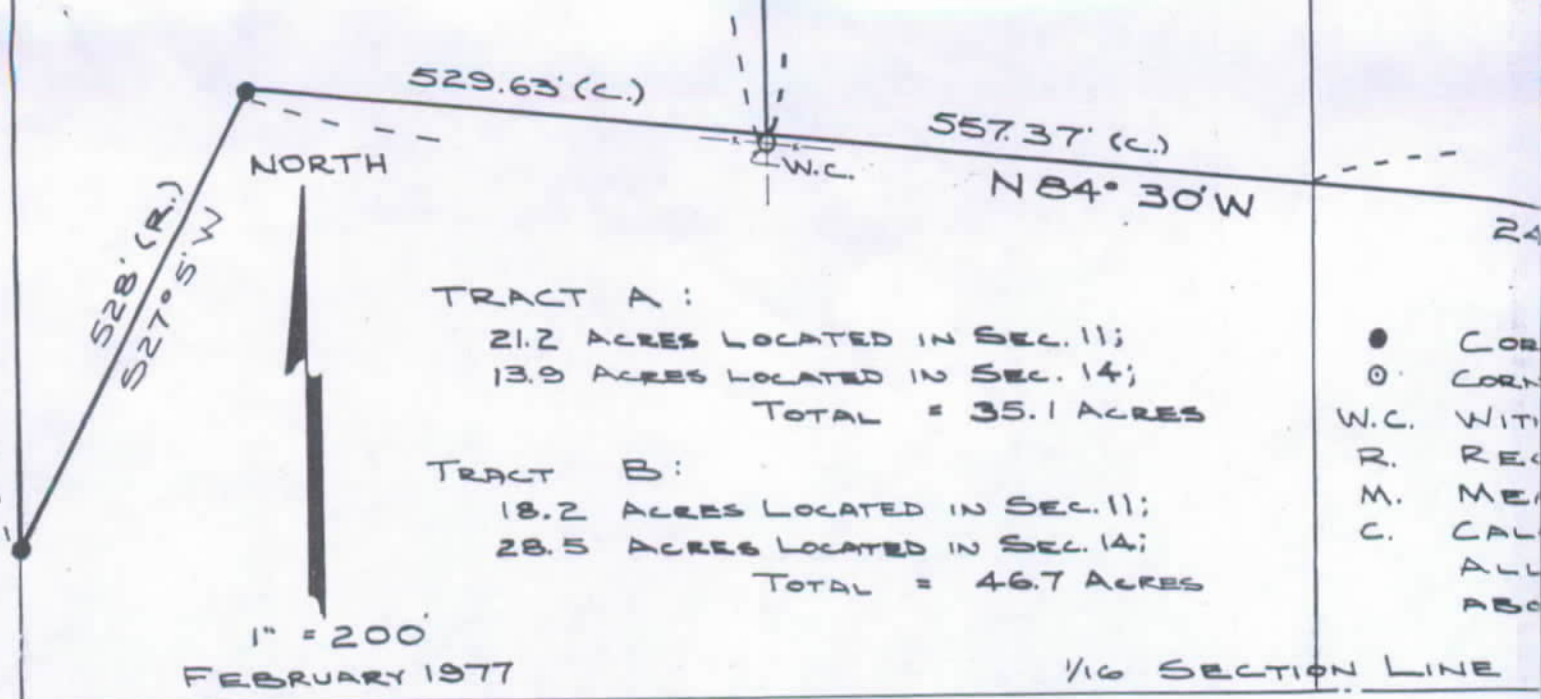
Filed this 25 day of Oct, 1977 at Pierre, S.D. Book 10 Page 103

Beverly M. Frost Thelma Darsen
REGISTER OF DEEDS DEPUTY FEES \$8.00 PD



PB10 Pg 103

PB10 Pg 103

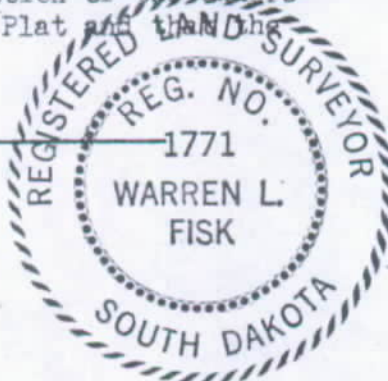


SURVEYOR'S CERTIFICATE

I, Warren L. Fisk, Registered Land Surveyor No. 1771 in the State of South Dakota, do hereby certify that at the direction of the Owners listed below, I did prepare the above survey and Plat and that the same is, in all things, true and correct.

Warren L. Fisk

Warren L. Fisk Registered Surveyor No. 1771



OWNERS CERTIFICATE
 State of SOUTH DAKOTA
 County of MEADE ss

We Basil L. Boylan and Maxine H. Boylan do hereby certify that we are the owners of the above described land and that we did authorize and hereby approve the above survey and plat.

Basil L. Boylan
 Basil L. Boylan, Owner

Maxine H. Boylan
 Maxine H. Boylan, Owner

CERTIFICATE OF COUNTY TREASURER

I, Treasurer of Meade County, do hereby certify that all taxes which are liens upon the within described lands are fully paid according to the records of my office.

M. V. Knight (Rep)
 Meade County Treasurer

10-25-77
 Date

CERTIFICATE OF COUNTY AUDITOR

Approved by the Board of County Commissioners, Meade County, South Dakota, this 2 day of March 19 77

Elizabeth Bestgen
 Meade County Auditor



SURVEYOR'S ACKNOWLEDGMENT

State of South Dakota

On the 26th day of February 1977, known to me to be the true and correct person to me that he

James W. C.
 My Commission Expires 1977

OWNERS ACKNOWLEDGMENT
 State of South Dakota
 County of Meade ss

On the 1 day of March 1977, appeared Basil L. Boylan and Maxine H. Boylan, scribed in the above plat, and the same.

Notary Public
 My Commission Expires 1977

CERTIFICATE OF RECORDING

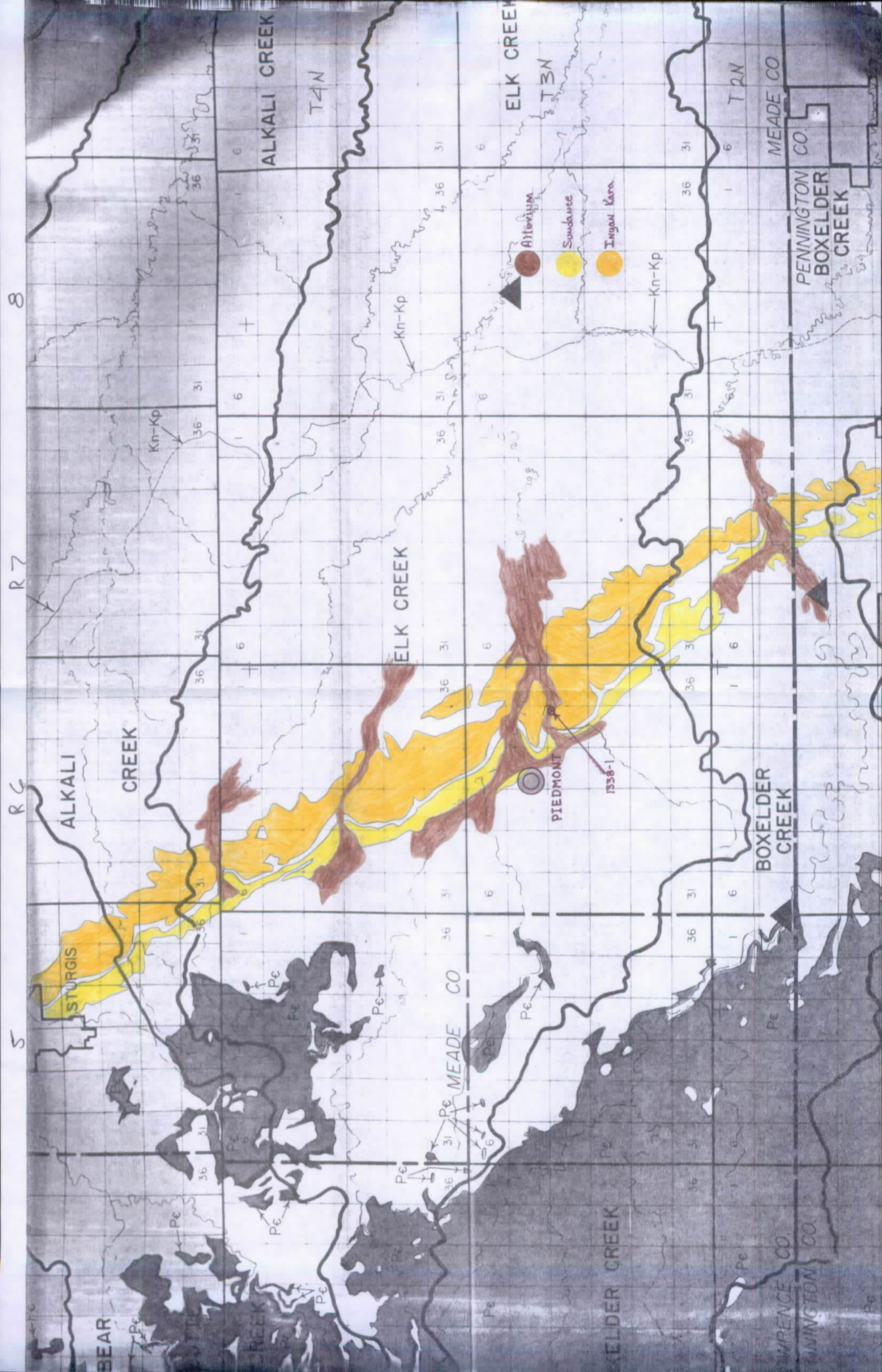
Copy of plat of MARCH 26 1977
 Meade County Auditor

Approved by the Board of County Commissioners, Meade County, 19 77

Signed: *Ed*
 Co-Chairman

Attest: *Luc*
 Secretary





RECEIPT

Division of Water Rights

No 4-10081-

South Dakota Department of Water and Natural Resources

Pierre, June 20, 1985

RECEIVED OF Black Hills Petrified Forest Campground, Gerald Teahout, Box 766 Piedmont, S
the following amount in fees for services rendered as provided for by law: 57

Fee for Application for Permit No. <u>1338-1</u> to Appropriate Water, to construct works 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 _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

JOHN HATCH/105

July 23, 1981

Timber of Ages Campground
% Gerald Teachout
Piedmont, South Dakota 57769

Dear Sir:

We are contacting all campground owners to advise them of the requirement and reasons for obtaining a water permit to use water from a well or surface supply for a commercial campground. If you obtain your water from a municipality, rural water system or other community system that already has water rights, you do not need a permit and this letter does not apply to your operation.

Enclosed are the application forms and instructions to apply for a water permit. Although State Law does require anyone using water for other than individual household domestic use or livestock watering to have a water permit, there are also several advantages to having a permit.

1. A water permit becomes a water right that entitles you to appropriate water for your commercial operation. The water right is also a property right that cannot be lost unless the water is not used.
2. In the event a large capacity well were to be authorized by a permit and pumped near your campground, you would have no protection if there were any adverse affects on your water supply. In fact, without a permit, the large capacity well owner would have seniority and you would have no rights to any water.
3. The State water rights system operates on the first in time is first in right basis. This means the senior water right has first call on the water except for domestic use. The non-domestic water user without a water right has no rights or protection in the event of water shortage conditions.

There are several commercial operations such as yours that have not established water rights. Normally there has been no problem even though the water user is operating without a permit. The reason being, the amount of water pumped is not large enough to adversely interfere with nearby domestic wells or existing rights. The difficulty occurs when we receive a legitimate complaint and it is necessary to shut down the water use operations that do not have permits. Since water use in South Dakota is increasing, the possibility of complaints or water

Timber of Ages Campground

Page 2

July 23, 1981

supplies being fully appropriated is also increasing. The Water Management Board approves or denies all water permit applications. At almost each meeting, someone appears to protest an application. Upon questioning it has been determined in several cases that the person protesting is a non-domestic water user and thus he has no rights or legal standing even though he may have been using water for several years.

I would certainly suggest that you establish your water rights at this time. Such rights would provide future protection for continuing your operation and give you legal rights in the event of future large capacity well development in your area.

I believe you can get by for the one time minimum filing fee of \$150.00. Other costs will be for preparation of a map, advertising twice in the newspaper, and a one time \$50.00 final inspection fee.

If you have any questions or need any assistance, please let us know.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

Enclosure

a73202.jh

South Dakota School of Mines and Technology
(Survey of Non-Community Water Supply)

ID# 4600630

Survey taken by DON BACHAND Survey date 7/2/84

Is system active or inactive ACTIVE

If inactive, deactivation date N/A

Deactivation reason N/A

Location of NC PWS 1 MILE EAST OF PIEDMONT ON ELK CREEK ROAD

Type of NC PWS (campground, motel, resort, etc.) CAMPGROUND

Name of NC PWS TIMBER OF AGES CAMPGROUND

NC PWS mailing address PIEDMONT RTE, Box 166, ADMT, 57769 Telephone # 787-4560

Name of Operator/Manager JERRY TEACHOUT

Owner of NC PWS SAME

Owner's mailing address SAME

Type of owner: private (☒ city () state () federal () other ()

County NC PWS located in MEADE Seasonal operation dates END MAY -
END AUG

Number of people served: Average daily 50 Peak daily 75

Comments on type of people (transient vs. permanent) TRANSIENT PLUS
1 FAMILY DWELLING

Water source (well, spring, lake, river, other) WELL

Source name N/A

Visual inspection of water source (comments) N/A

Observation of owner/operator making a turbidity test (if source is a surface supply). (comments) N/A

Surface Area Characteristics GRAVEL ROAD WITH GRAVEL
PARKING SITES, GRASS AREAS AND PINE TREES

Wells: drilled (☒) bored () dug () driven ()

Well depth 100 FT Casing material STEEL

Casing diameter 6" Height casing top above ground N/A

Grouted YES Grouted to what depth UNKNOWN

Date of well construction APP. 1930'S

Distance to: Septic tank 700 FT Disposal field 700 + FT.

Is well situated in a pit or depression where it will be subject to flooding

NO

Any known private sewage systems nearby NO

Any known source of contamination NO

Pump:

Well pump type SUB Capacity 1 HP GPM

Number of service connections 1 - BATH HOUSE 1 - LODGE
1 - CAMPGROUND

Pumphouse floor/ housekeeping N/A

Storage:

Size and type of storage N/A

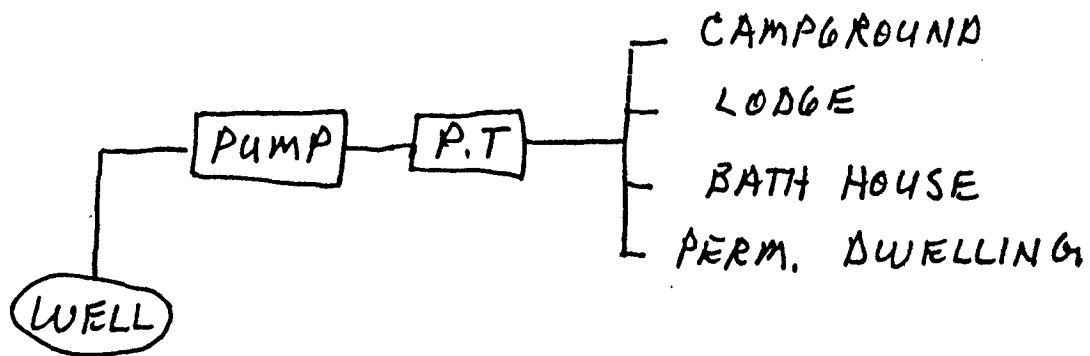
Cover/manhole conditions (overlapping cover?) N/A

Overflow and vents screened N/A

Distance from pits/ contamination/ drainage N/A

General condition N/A

Block diagram of system:



Short report on system:

THIS SYSTEM USES A SUBMERCIBLE PUMP AND PRESSURE TANK TO MEET ITS NEEDS. NO DISINFECTION IS USED.

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

September 27, 1984

Timber of Ages Campground
Piedmont Rt., Box 766
Piedmont, SD 57769

Dear Mr. Teachout:

The Division of Environmental Quality of this Department is conducting a survey of non-community public water supply systems. As a part of the survey, we have reviewed our records and we can not find any water rights on file for Timber of Ages Campground.

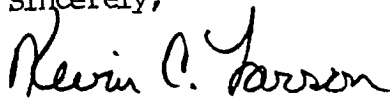
A water permit is required pursuant to SDCL 46-1-15 to use water from a private source for commercial use. Any use of water, except for private domestic use, requires a water permit. Examples of commercial use are: truckstops, motels, restaurants, tourist attractions, commercial campgrounds and any other business operation. Examples of non-commercial use that require permits for private supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute.

If you have a water permit that has been issued under another name or if you believe a permit has been issued under another name, please contact us. We are enclosing the necessary permit application forms and instructions, if you need a permit. Please complete and submit with a (see instructions) filing fee.

An existing business without a water right has no right to the use of water. Except for private domestic use, any water user without a water right is not entitled to receive protection in the event of well interference by a new or future user who has a water right. The new user with a water right will have the senior priority over an existing user without a water right. In South Dakota, the first in time (senior priority) is the first in right, except for individual domestic use. Individual household, farm or ranch use does not require a permit and has preference over all other users of water.

If you have any questions or need assistance with completion of the forms, please feel free to contact us.

Sincerely,



Kevin C. Larson
Water Resources Engineer
Office of Water Rights
Phone: (605) 773-3352

Enclosures



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 25, 1985

NOTICE

Timber of Ages Campground
Piedmont Rt, Box 766
Piedmont, South Dakota 57769

Dear Mr. Teachout:

September 27, 1984 we notified you that State Law requires that a water permit be obtained for any use of water from a private source for use in a campground. We have not heard from you on this. Failure to comply with State Laws--SDCL 46-1-6(6), 46-1-15, 46-5-8.2, 46-5-9, and 46-5-10 and Water Management Board Rule ARSD 74:02:01:03--can result in an order to stop water use until an application for a water permit has been submitted and approved.

If you have questions or need another set of permit applications forms or if you believe you already have the required water permit or need assistance in completing the forms, feel free to contact us. Please submit the completed application forms prior to June 25, 1985.

Sincerely,

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

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

S519.WR

app. received

Black Hills Petrified Forest

Telephone
605/787-4560



Piedmont Rt.
~~STATE ROUTE 766~~
Box 70 766
Piedmont, S.D. 57769

30 April, 1985



John Hatch Chief Engineer
Dept. of Water and Natural Resources
Pierre, S.D. 57501-3181

Dear Mr. Hatch,

Enclosed is the application for water use that came from your office.

I want to go on record that this is being filed under the most extreme protest possible and here is why.

That well has been in use over 50 years and was originally drilled for domestic use. I personally built my small (50 unit) campground in 1964 and have used that well to supply water ever since.

Now, all of a sudden, by an improperly administered law, I am required to pay for a permit to use my own water from my own well on my campground to pay for and support a bureaucratic regulation.

According to your fee schedule, this is going to cost me some \$150 just to do this. This means that some 16 bare bones campers will stay on my grounds just to pay for that. There are many, many days during the summer that we don't have 10 on the grounds. The small out of the way campgrounds are having hard enough economic times without meaningless regulations such as this.

My neighbor, a cattle rancher, just drilled a well last year to water approximately 65 head of cattle. He will use over 1000 times more water in a years time than I will, but at no cost for a permit!!! Can't someone see the inequity of this?????

Sincerely,

Gerald E. Teachout Owner/Operator



CAMPGROUND-ROCK SHOP-GIFT SHOP

EXIT 46 - ONE MILE OFF INTERSTATE 90



WATER RIGHTS DIVISION
(605) 773-3352

May 2, 1985

Black Hills Petrified Forest Campground
Gerald E. Teachout
Piedmont Route, Box 766
Piedmont, South Dakota 57769

Dear Mr. Teachout:

Thank you for submitting your permit application. I am returning the two copies of Form 2 for signature and notarization. The filing fee for diversion of up to 45 gallon per minute is \$50.00. I am also enclosing a copy of a USGS Topo map. Please mark the location of your well on it. When we receive the signed and notarized copies of Form 2, the map and the filing fee we can continue processing your application. The deadline stated in the letter is June 25, 1985.

If you have any further questions please contact this office.

Thank you,

Kevin C. Larson
Natural Resources Engineer

KCL:ms
Enc.

REPORT ON WATER PERMIT APPLICATION No. 1338-1

BLACK HILLS PETRIFIED FOREST CAMPGROUND

August 8, 1985

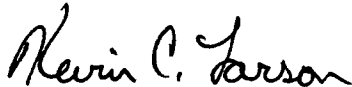
Water Permit Application No. 1338-1 is to withdraw 0.10 cubic feet per second from one existing well 100 feet deep. The well is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14, T3N, R6E and is used to supply a campground.

This well withdraws water from the Inyan Kara group. The Inyan Kara group consists of the early Cretaceous Age Lakota and the overlying Fall River Formation. The Lakota formation is composed of cross-bedded channel fill sandstone, shale and some limestone. The Fall River formation is a well bedded fine grained sandstone with some siltstone and claystone (Rahn, 1979). The well is located in the outcrop area of the Inyan Kara about 2 miles southeast of Piedmont. The Inyan Kara underlies about 2 million acres in Meade County and contains approximately 36.3 million acre feet of recoverable water (Allen et al, 1984). It is estimated that the average annual appropriation from the Inyan Kara group in Meade County is 564 acre feet (Burch, 1984)

There are no water permits on file within a one mile radius of this application. There are several domestic well logs on file west of this application, however, they are withdrawing water from the Sundance formation.

Conclusions:

1. There is water available for this application.
2. The well has been used in the campground for 20 years with no reported problems.



Kevin C. Larson
Natural Resources Engineer

Allen, Johnette C. et al Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, "Groundwater Resource Inventory", D.W.N.R. Division of Geological Survey, Vermillion, S.D., June, 1984.

Burch, Stephen L. Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota "Average Annual Water Use" D.W.N.R., Division of Geological Survey, Vermillion, .S.D, June 1984.

Division of Water Rights "Water Permit and Domestic Well log files" D.W.N.R., Pierre, South Dakota, 1985.

Rahn, Perry H., Groundwater Resources of Western South Dakota, S.D.S.M.T., Rapid City, South Dakota August 1979.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

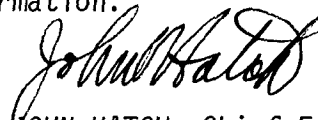
APPLICATION NO. 1338-1, Black Hills Petrified Forest Campground

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1338-1, Black Hills Petrified Forest Campground, Piedmont Route, Box 766, Piedmont, South Dakota

The Chief Engineer is recommending APPROVAL of Application No. 1338-1 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) in the public interest with the following qualifications:

The well approved under this Permit is located near domestic 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.

See attached report for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", written in a cursive style.

JOHN HATCH, Chief Engineer

August 9, 1985

No 1338-1

PROOF OF P

STATE OF SOUTH DAKOTA)
County Meade) ss.

I, Jackie Allison

certify that the annexed printed copy of Notice of Intent

Water was taken from the B.H. Press

A newspaper which during the whole time of publication
herein after stated, has been and is printed and published in

City of Sturgis

County of Meade and State of S
that the said notice was published in said newspaper on
two dates:

August 24, 1985

August 28, 1985

Jackie Allison
(Signature)

Billing Clerl
(Title)

August 24 1985
(Date Signed)

Cost of Printing: \$39.69

NOTICE OF HEARING ON
APPLICATION NO. 1338-1 TO
APPROPRIATE WATER

Notice is hereby given that Black Hills Petrified Forest-Campground whose mailing address is Piedmont Route, Box 766, Piedmont, South Dakota has made an application for a permit to appropriate 0.10 cubic feet per second from one existing well 100 ft. deep located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14, T3N-R6E to supply water for campground use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends approval of Application No. 1338-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Howard Johnson, Nebraska Room, 3300 W. Russell, Sioux Falls, SD, October 16, 1985 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by October 4, 1985. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the

petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02-01:01 thru 74:02:01:15.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Fox Bldg., Pierre, SD (605-773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by October 4, 1985.

Publ Aug. 24 & 28, 1985
Black Hills Press-Times-Tribune



No. 1338-1

Instruction to Newspaper - Publish first publication of the following Notice on or before **August 21, 1985** with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1338-1 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Black Hills Petrified Forest/Campground whose mailing address is Piedmont Route, Box 766, Piedmont, South Dakota has made an application for a permit to appropriate 0.10 cubic feet per second from one existing well 100 ft deep located in the NE1/4 Section 14, T3N-R6E to supply water for campground use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends **APPROVAL** of Application No. 1338-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Howard Johnson
Nebraska Room, 3300 W. Russell, Sioux Falls, SD, October 16 19 85 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by October 4, 1985. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) ~~46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by October 4, 1985.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

NOV 19 1985

Black Hills Petrified Forest Campground
Piedmont Rt, Box 766
Piedmont SD 57769

Dear Sir:

Enclosed is your Water Permit No. 1338-1 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

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

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1338-1

December 9, 1988

Gerald Teachout
Black Hills Petrified Forest Campground
Piedmont Route, Box 766
Piedmont, South Dakota 57769

Dear Mr. Teachout:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1338-1 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Maxine Stirling".

Maxine Stirling
Secretary

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411559

Pierre, _____ December 22, 19⁸⁸

RECEIVED OF Black Hills Petrified Forest and Camp Ground, HC 30, Box 766, Piedmont SD
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
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>1338-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer KS

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Black Hills
Petrified Forest Campground of Piedmont Rt., Box 766, Piedmont holder of
Permit No. 1338-1, bearing the priority of May 1 1985 authorizing
the diversion of 0.1 cu. ft. per second of the waters of Groundwater
for Commercial purposes, in Meade County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

A submersible pump- 15 gallons per minute capacity.

A submersible motor- 1/2 horse power.

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

1.5 inch steel pipe, 50 feet long from the pressure tanks to the first
camp site.

C. Works used to apply water to beneficial use:

Water is applied to beneficial use by campers, mobile home hookups,
showers, and the owner's residence.The system is in the following condition GoodThe point of diversion is located Approximately 132 feet south, 260 feet west from
Northeast corner of Section 14, T3N-R6E- NE1/4 NE1/4 Section 14.The works are capable of diverting and conveying to the place of use 0.03
cu. ft. per second of water which is to be used for water consumption for a campground

Water has been put to beneficial use to the maximum extent as follows: _____

The campground consists of 50 units: 10 camp sites and the rest motor
home sites.comprising a total of NA acres of land and the license should be issued for 0.03 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: _____ Date 9/16/88

LICENSE FOR PERMIT NUMBER 1338-1

1. Legal location of wells: NE1/4 NE1/4 Section 14, T3N-R6E

dams & structures: No dam is involved.

2. Well Information: Well Drilling Firm Unknown

No. of wells One Depth 0100 feet

Casing a) diameter 6 inches Screen a) type Brass
b) length 80 feet b) length 6 inches
c) type steel Static Water Level unknown

Pump * a) make Reda* Motor * a) make _____
b) model _____ b) model no. _____
c) size 4 inch c) horsepower rating 1/2
d) capacity 15 GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:
a) size of lines 1.5 inches
b) type steel
c) length 50 feet long

* The owner did not have any
idea of the capacity of the
pump. The capacity of the
pump was obtained by comparing

4. Dam information:
a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

i) Outlet tubes: it to a Berekely pump- 4 in.
submersible pump using a
1) diameter 1/2 HP motor.
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

5. System Type: a) sideroll: b) towline:
1) length _____ feet 1) length _____ feet
2) diameter of pipe _____ 2) make, model & number of sprinklers _____
3) make, model & number of sprinklers _____ 3) spacing of sprinklers _____
4) spacing of sprinklers _____ 4) nozzle size _____
5) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES NO Check Items

___ NA* ___

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

___ X ___

2. Special Qualifications to permit being abided by.

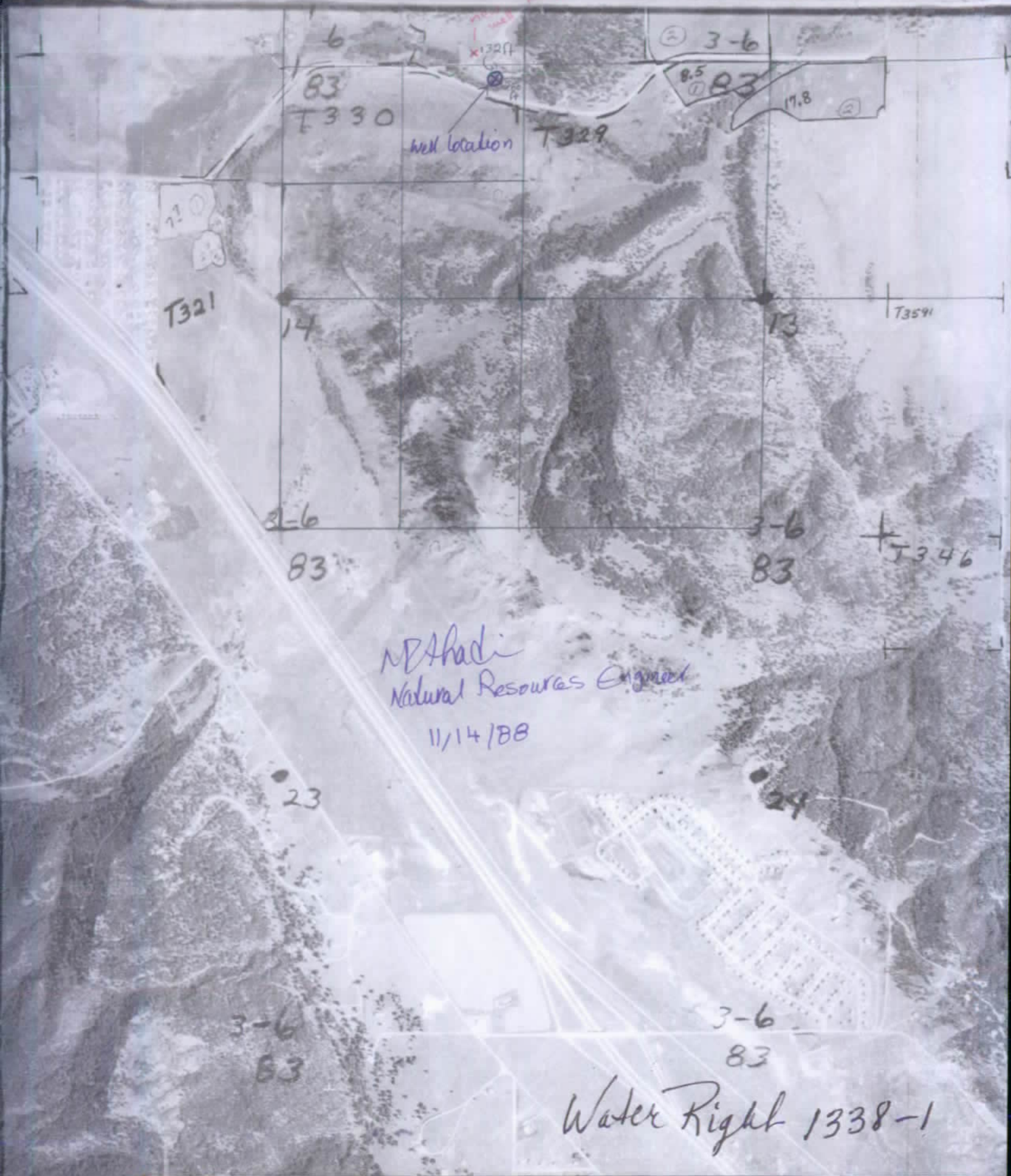
___ X ___

3. All Structures, wells and lands on map.

REMARKS: * Since no farming is involved, this item is not applicable.

1338-1

NOT TO SCALE



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1338-1

(1) Black Hills Petrified Forest Campground of HC 80, Box 766, Piedmont, SD 57769 made Application No. 1338-1, May 1, 1985 for a water permit to appropriate 0.10 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for commercial purposes. Permit No. 1338-1 with a priority date of May 1, 1985 was approved October 16, 1985 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.03 cubic feet of water per second for beneficial use. The location of the diversion point is: 132 feet south and 260 feet west of the NE corner of Section 14, T3N, R6E (NE1/4 NE1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for a commercial campground water supply.

(4) Pursuant to Section 46-5-30.1 Black Hills Petrified Forest Campground of HC 80, Box 766, Piedmont, SD 57769 the holder(s) and/or owner(s) of Water Permit No. 1338-1 is issued a license to appropriate water, the right to use 0.03 cubic feet of water per second from groundwater (one well) with a priority date of May 1, 1985 from the location specified in (2) of this license. This license is subject to any limitations or qualifications listed in Water Permit No. 1338-1 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources

MAR 22 1989



Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

MAR 22 1989

Black Hills Petrified Forest
Campground
ATTN: Gerald Teachout
HC 80, Box 766
Piedmont, SD 57769

Dear Mr Teachout:

Enclosed is Water License No. 1338-1. This is the final water right document completing your process of obtaining a Water Right. Also enclosed is your Receipt No. 411559 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1338-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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.

Very truly yours,

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

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

enclosures

NOTE: NAME CHANGED
IN 1989.

WATER USE FOR 1990

1338-1

* ~~BLACK HILLS PETRIFIED~~
~~FOREST CAMPGROUND~~
HC 80/BOX ~~760~~ **767**
PIEDMONT, SD. 57769

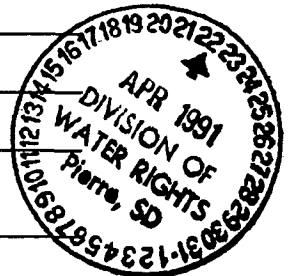
ELK CREEK CAMPGROUND

SOURCE OF WATER (PLEASE CHECK):

GROUND WATER _____, NUMBER AND DEPTH OF WELLS 1 WELL

100' DEEP

SURFACE WATER _____, NAME OF STREAM OR LAKE _____



TYPE OF WATER USE (PLEASE CHECK):

INDUSTRIAL _____ COMMERCIAL K INSTITUTIONAL _____

GEOTHERMAL _____ POWER _____ MINING _____

ESTIMATED TOTAL 1990 WATER USE _____ GALLONS (OVER)

NAME OF CONTACT PERSON BRYAN TEACHOUT

TELEPHONE NO. 605-707-4884

ADDRESS CORRECTION ELK CREEK CAMPGROUND

HC 80 BOX 767

PIEDMONT S.D. 57769



DEPARTMENT OF WATER & NATURAL RESOURCES

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 23, 1991

1338-1

Bryan Teachout
Elk Creek Campground
HC 80 Box 767
Piedmont, SD 57769

Dear Mr. Teachout:

Enclosed is a partially completed "Notice of Transfer" form for use in filing a change on Water Right No. 1338-1. The water right is currently listed in the name of Black Hills Petrified Forest Campground.

The transfer form should be checked over for accuracy and signed in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

October 15, 1991

**Second Notice
No. 1338-1**

Bryan Teachout
Elk Creek Campground
HC 80, box 767
Piedmont SD 57769

Dear Mr. Teachout:

On April 23, 1991 notice was sent to you concerning the transfer of Water Right No. 1338-1 in the name of Black Hills Petrified Forest Campground. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Genny McMath, (605) 773-3352.

Very truly yours,

RON DUVAL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

File No. 1338-1

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Bryan Teachout

ADDRESS: HC 80 Box 767, Piedmont, SD 57769

COUNTY: Meade

DATE: October 24, 1991

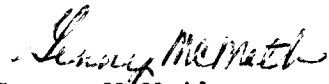
TELEPHONE: 787-4884

RE: Ownership of No. 1338-1

COMMENTS:

Mr. Teachout had returned a "Notice of Transfer" I mailed to him and stated ownership had not changed, only the name and the manager of the campground. I told him we still needed a completed "Notice of Transfer" in order to change the name. He said to leave it the way it is.

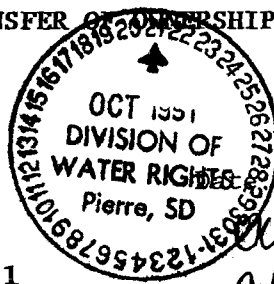
1338-1 is listed as: Black Hills Petrified Forest Campground
(new name) - Elk Creek Campground


Genny McMath
Natural Resources Analyst

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1338-1



I\We request that Water Right No. 1338-1

formerly owned by: Black Hills Petrified Forest Campground

be transferred to: (name & address) Elk Creek Campground, Bryan Teachout, HC 80, Box 767,

Piedmont SD 57769

(Telephone No.) _____

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

(diversion point) NE 1/4 NE 1/4 Section 14-T3N-R6E

I\We understand that the validity of Water Right No. 1338-1 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 right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of _____)

I\We _____ being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

(Signed)

Subscribed and sworn to before me this _____ day of _____, 19____.

(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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.