

Considered: _____

WATER PERMIT NO. 1339-1

MAP No. Same

Name of Applicant J.T. Stout - Siesta Motel

Post Office Address Box 184 Dupree S.D.

Amount of Water Claimed 0.045 cfs Total Acres _____

Source of Water Supply Groundwater

Water to be used for COM County Ziebach

About 1/2 miles W of Dupree

PROOF OF PUBLICATION: Received 9-19-85 Not Received _____

APPLICATION: Approved 10-16-85 Subject to _____

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

PRIORITY _____ Date Received 6-14-85 Fee \$50.00 Remarks _____

6-14-85

Corrected Application Received _____ Period of Annual Use Jan. 1 to Dec. 31

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

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

Diversion Point SW4 SW4 sec. 30 T13N-R21E

Land to be Irrigated _____

	30				
30					

Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well 210 ft. REMARKS Well Drilled in 1964

no log available.

Type of Map U.S.G.S. Topo PREPARED BY K.C. Larson Reviewed and the Number

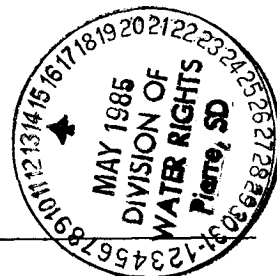
assigned on July 15, 1985 By Kevin C. Larson

No. 1339-1 Hydrologic Unit 10130306
 Map No. Same Basin Moreau River
 Newspaper West River Progress Box G Gettysburg (Thurs)

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. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____

1. Name of Applicant J. T. Stout Phone No. 365-5360
 Post Office Address Box 184, Dupree, SD State SD Zip Code 57623
(Street, RR or Box)

2. Amount of water claimed (c.f.s.) 0.045 cfs3. Source of water supply well

4. Location of point of diversion Lot 2A in SW 1/4 of Sec. 30,
Twp 13N, Rge 21 E BHM
 County Ziebach

5. Counties where water will be used Ziebach6. Annual period during which water is to be used 12 months

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)

11 Unit motel + Managers living quarters

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 Ziebach ^{SS}

I, James T. Stout 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 James T. StoutSubscribed and sworn to before me this 13 day of April 1985

Ronald Coleman
 Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1339-1

Siesta Motel - J. T. Stout

(Applicant)

Box 184 Dupree

(Post Office Address)

South Dakota

(State)

57623

(Zip Code)

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.

Date of first receipt of application June 14, 1985.

Date of return to applicant for correction, amendments or changes required —, 19—.

Date of receipt of corrected application —, 19—. Approved October 16, 1985.

The Water Management Board hereby approves this Water Permit No. 1339-1 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 June 14, 1985.
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 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 0.045 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: January 1 to December 31

WATER MANAGEMENT BOARD

By: John Hatch

Chief Engineer

Division of Water Rights

Dept. of Water and Natural Resources

NOV 19 1985

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter UNK. Depth 210 ft
- b) Casing Type Steel Diameter 6" Thickness UNK.
- c) Screen Type UNK. Diameter Thickness
- d) Gravel Pack Thickness Length of Gravel Pack
- e) Depth to Top of Water Bearing Material
- f) Depth of Water (ground surface to water level)
- g) Distance to nearest existing domestic well:
- On applicants property On property owned by others

2. Dugout Information Estimates

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

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

b) Freeboard

c) Crest Width

Crest Length

d) Height

e) Outlet Dimensions:
Pipe diameter

Spillway width

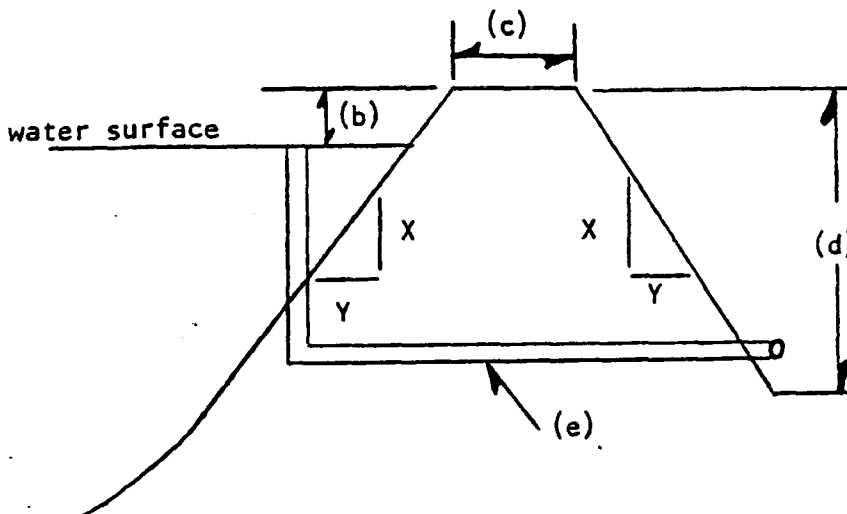
f) X & Y Slope
Upstream

Downstream

Surface Area of Impoundment

Storage acre feet

Drainage area above dam



Signature of Applicant

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4 10074

Pierre, June 14, 19 85

RECEIVED OF Siesta Motel, J. T. Stout, Box 184, Dupree, SD 57623

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 _____	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 John Hatch
Chief Engineer JOHN HATCHES



Kevin C. Hanson
Nat. Res. Eng.



Department of Water & Natural Resources

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

August 28, 1984

Siesta Motel
Box 184
Dupree, South Dakota 57623

Dear Sirs:

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 Siesta Motel.

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

SOUTH DAKOTA Department of
Water & Natural Resources

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

April 25, 1985

NOTICE

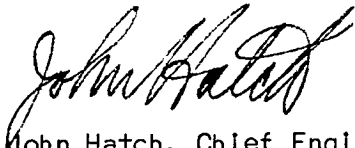
Siesta Motel
Box 184
Dupree, South Dakota 57623

Dear Sir:

August 28, 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 motel. 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,



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

S519.WR

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

D1

ID# 4600735

NA = nonapplicable

Survey taken by Steve Naylor (SDSMT) Survey date 6-5-84

Is system active or inactive Active

If inactive, deactivation date NA

Deactivation reason NA

Location of NC PWS Highway 212, north side of Dupree, S. Dak.

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

Name of NC PWS Siesta Motel

NC PWS mailing address Box 184, Dupree Telephone # 365-5360

Name of Operator/Manager Joe & Dick WEBB

Owner of NC PWS James T. & Judy Stout

Owner's mailing address Box 367, Dupree

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

County NC PWS located in Ziebach Seasonal operation dates YEAR

Number of people served: Average daily 15 Peak daily 40

Comments on type of people (transient vs. permanent) transient ; also
4 permanent residents

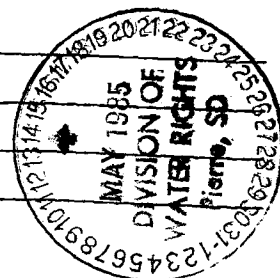
Water source (well, spring, lake, river, other) WELL

Source name unknown

Visual inspection of water source (comments) NA

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

Surface Area Characteristics Flat grassy area



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

Well depth 210'

Casing material Steel

Casing diameter 6" Height casing top above ground Buried underground

Grouted No Grouted to what depth NA

Date of well construction 1964

Distance to: Septic tank 450 ft Disposal field 450⁽⁺⁾ ft

Is well situated in a pit or depression where it will be subject to flooding
No

Any known private sewage systems nearby NONE

Any known source of contamination NONE

Pump:

Well pump type submersible Capacity unknown (2½ Horsepower) GPM

Number of service connections 11 motel units and a trailer
connected to the motel where manager lives

Pumphouse floor/ housekeeping NA

Storage:

Size and type of storage only what is in the pressure tank

Cover/manhole conditions (overlapping cover?) NA

Overflow and vents screened NA

Distance from pits/ contamination/ drainage NA

General condition NA

Pressure Tanks:

50 gallon pressure tank that is buried next to the well
cut in / cut out pressures are 20/40

- Treatment:

Type of treatment: filtration () softening () disinfection () other ()
none (x) describe other NA

Type of filtration NA

Type of disinfection NA

Type of softening NA

Noted defects (if any) in the treatment facility NA

Chlorine Residual Test: Time and date sample taken NA

Test conditions and location NA

Test equipment NA

Test results NA

Turbidity Test: Time and date sample taken NA

Test conditions and location NA

Test equipment NA

Test results NA

Coliform Test and Nitrate Test: Time and date sample taken 3:00 PM / 6-5-84

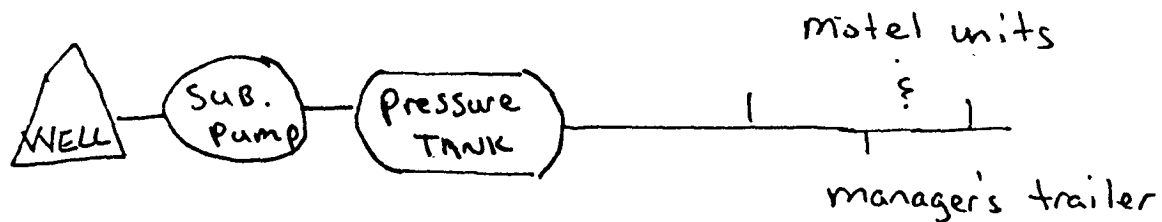
Test conditions and location Clean, kitchen sink of manager's trailer

Name of lab Travis Labs, Rapid City

Time and date sample received time unknown / Date 6-6-84

Results coliform bacteria < 1 per 100 ml sample by membrane filter
Nitrate-nitrogen = .18 ppm method

Block diagram of system:



Short report on system:

Water is pumped by a submersible pump up to a pressure tank that pushes the water into the distribution system. There were no noted deficiencies in this system.



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

May 20, 1985

Siesta Motel
J.T. Stout
Box 184
Dupree SD 57623

Mr. Stout:

Thank you for submitting your water permit application. Before we can continue processing your application we will need the following:

1. Amount of water claimed (amount you are capable of pumping).
2. Filing fee for up to 45 gpm is \$50.00. Fee for 45 gpm to 75 gpm is \$150.00.
3. Please mark the location of your well on the enclosed map.

Upon receipt of the amount of water, filing fee and map we will continue processing your application.

Thank you,

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

enclosure

① - 20 gpm

③ L 2A SW 1/4 30 13 21

Equal Opportunity Employer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1339-1

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. 1339-1, J. T. Stout, Siesta Motel, Box 184, Dupree, South Dakota.

The Chief Engineer is recommending APPROVAL of Application No. 1339-1 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 qualification:

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", with a stylized, cursive script.

John Hatch, Chief Engineer

August 1, 1985

REPORT ON APPLICATION NO. 1339-1

FOR J. J. STOUT-SIESTA MOTEL

August 1, 1985

This application proposes to appropriate 0.045 cfs from one existing well 210 feet deep located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, T13N-R21E. The water is used in a motel and permanent residences.

Aquifer - Fox Hills

Geology and Aquifer Characteristics

The Fox Hills Formation is of late Cretaceous Age and consist mainly of grayish-white to yellow sandstone and sandy shale (Rahn, 1979). The Fox Hills should be 200 feet thick in this area. There is no well log available, but this depth and yield checks fairly well with other driller's logs in this area (Water Rights Division, 1985). There is very little known about the geohydrologic characteristics of the Fox Hills. Groundwater is obtained from the sandstone layers in the Fox Hills and possibly fractures. Well yields are typically fairly low. The SDGS estimated there is 565,000 acre-feet of recoverable water in Ziebach County (Allen, etal, 1984)

Review of Existing Water Rights

There are no existing water permits filed in this area for groundwater from the Fox Hills Formation. The City of Dupree has permit No. 743-1 for a Madison Formation Well.

Conclusions

1. Water is available from the Fox Hills Formation.
2. This system has been in use since 1964 with no apparent problems.

James A. Goodman KCH

James A. Goodman
Hydrologist

Bibliography

Allen, J.C., D. Illes, A.K. Petres, 1984, Draft Final Analysis of Ground Water and Streamflow Data Western Dakotas Region of South Dakota, for U.S. Army Corps of Engineers, DWNr, Division of Geological Survey, Vermillion, South Dakota 57069.

Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, for U.S. Army Corps of Engineers, SDSM&T Project No. 2533, Rapid City, South Dakota 57701.

Water Rights Division, 1985, Water Rights Division Well Files, DWNr, Water Rights Division, Joe Foss Building, Pierre, South Dakota 57501

No. 1339-1

Instruction to Newspaper - Publish first publication of the following Notice on or before September 4, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1339-1 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that J. T. Stout; Siesta Motel whose mailing address is Box 184, Dupree, South Dakota has made an application for a permit to appropriate 0.045 cubic feet per second from one existing well 210 feet deep located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30 T13N-R21E. Water is used in a motel.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1339-1 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, South Dakota, October 16, 1985 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.



No. 1339-1

STATE OF SOUTH DAKOTA)

County Ziebach) ss

I, Jack L. Stoner hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the West River Progress

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

West River Progress at Dupree,

County of Ziebach and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

September 5, 1985

September 12, 1985

Jack L. Stoner
(Signature)

Publisher
(Title)

September 16, 1985
(Date Signed)

Cost of Printing: 38.

Any person wishing a copy of the
Chief Engineer's recommendation,
further information on this ap-
plication or to assure access to the
hearing by the handicapped can
contact the Water Rights Division,
DWRN, Joe Foss Bldg., Pierre SD
(605 773-3352) for assistance prior to
the hearing date. The time of the
hearing will be automatically ex-
tended 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.

(Published in the West River Progress, Sep-
tember 5 and 12, 1985.)

NOTICE OF HEARING
On Application No. 1339-1
To Appropriate Water

Notice is hereby given that J.T.
Stout-Siesta Motel whose mailing
address is Box 184, Dupree, South
Dakota has made an application for a
permit to appropriate 0.045 cubic feet
per second from one existing well 210
feet deep located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of
Section 30 T13N-R21E. Water is used
in a motel.

Pursuant to SDCL 46-2A-2 the Chief
Engineer of the Water Rights
Division recommends Approval of
Application No. 1339-1 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, South
Dakota, 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 af-
fected by a Board decision and who
intends to participate in the hearing
before the Board and present
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statement describing the petitioners
interest in the application, the reason
for the petitioner's opposition to or
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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; 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 ap-
pealed to the Circuit Court and the
State Supreme Court as provided by
law.



Water & Natural Resources

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

Water Rights Division
605 773-3352

1339-1

NOV 19 1985

Siesta Motel
J. T. Stout
Box 184
Dupree, South Dakota 57623

Dear Sir:

Enclosed is your Water Permit No. 1339-1 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 that reads "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure