

Considered: _____

WATER PERMIT NO. 1483-1

HAP No. _____

Name of Applicant Black Hills National Cemetery

Post Office Address Box 640, Sturgis SD 57785-0640

Amount of Water Claimed 0.52 cfs Total Acres 37

Source of Water Supply groundwater

Water to be used for irrigation County Meade

About 3 miles SE of Sturgis

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved ~~7/25/89~~ Subject to _____

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

PRIORITY _____ Date Received ~~7/25/89~~ Fee \$150 Remarks _____
7/20/89

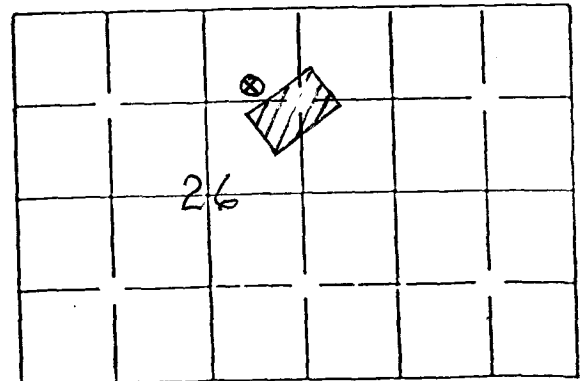
Corrected Application Received 4/2/90 Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

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

Diversion Point NW 1/4 NE 1/4 Sect 26
T5N-R5E

Land to be Irrigated NW 1/4 NE 1/4 Sect 26 T5N-R5E
SW 1/4 NE 1/4 " " "
NE 1/4 NE 1/4 " " "
SE 1/4 NE 1/4 " " "



Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well 1456' REMARKS well drilled back in 60's

Type of Map Topo PREPARED BY Neil Hodges Reviewed and the Number

Issued on 3/14/90 By Eric Hummel

SOUTH DAKOTA
WATER PERMIT No. 1483-1 FOR IRRIGATION

Date of first receipt of application July 20, 1989.

Date Soil/Water Compatibility Permit received April 13, 1990.

Date of return to applicant for corrections, amendments or changes July 24, 1989.

Date of receipt of corrected application April 2, 1990.

The Water Management Board approved Water Permit Application No. 1483-1 on July 25, 1990 for Black Hills National Cemetery, Box 640, Sturgis, SD 57785-0640 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1483-1 appropriates 0.52 cubic feet of water per second from one well (Minnelusa and Madison Formations) 1456 feet deep to irrigate 37 acres. The well is located in the NW1/4 NE1/4 Section 26 T5N-R5E. The land to be irrigated is located in the NE1/4 Section 26 T5N-R5E. This permit also provides 100,000 gallons per year for institutional purposes.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - September 30 for irrigation use and January 1 - December 31 for institutional use.
3. The date from which applicant may claim right is April 2, 1990.
4. All construction is completed and the water has been put to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

John H. Hatcher
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

SEP 13 1990

(date)

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

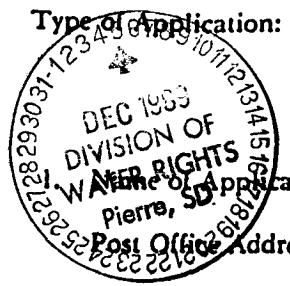
Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

(See instructions)

No. 1483-1 Hydrologic Unit 10120202
Basin Belle Fourche River
Newspaper Sturgis/Meade Co. Times Tribune

Box 69 57785

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water



Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☒ Other Institutional
Applicant Black Hills National Cemetery Phone No. 605-347-3830
Post Office Address P.O. Box 640 Sturgis State SD 57785
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s) .52 Total acres irrigated 37
3. Source of Water supply 1456' well to Madison Formation
4. Location of point of diversion NW $\frac{1}{4}$, NE $\frac{1}{4}$, Sec 26, T5N-R5E

County Meade
5. Counties where water will be used Meade
6. Annual period during which water is to be used April¹ thru September³⁰ for irrigation. Institutional
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each. January 1 all year to Dec 31

Land Description	No. Acres Irr.
<u>Same as 4 above</u>	<u>37</u>

Land Description	No. Acres Irr.
<u>NW$\frac{1}{4}$NE$\frac{1}{4}$ Sec 26-T5N-R5E</u>	<u>8</u>
<u>NE$\frac{1}{4}$NE$\frac{1}{4}$ " "</u>	<u>5</u>
<u>SW$\frac{1}{4}$NE$\frac{1}{4}$ " "</u>	<u>20</u>
<u>SE$\frac{1}{4}$NE$\frac{1}{4}$ " "</u>	<u>4</u>

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: Under
9. Crops to be Irrigated: Turf and trees (Specify) ground

10. Give a description of proposed project. (Attach sheet if more space is needed)
Improvement of existing well in 1961 to increase capacity of well to 85 g.p.m.
Estimated annual institutional use is 100,000 gallons

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA, ss
County of Meade

I, Daniel Nelson, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures, that it has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Daniel L. Nelson

Subscribed and sworn to before me this 29th day of November 1989

Nancy Jean Worth
Notary Public
Commission Expires 4/4/90

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 10" and 7" Depth 10" to 901' level, 7" to 1375' level
- b) Casing Type Steel Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:

On applicants property N/A On property owned by others 1 Mile

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) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

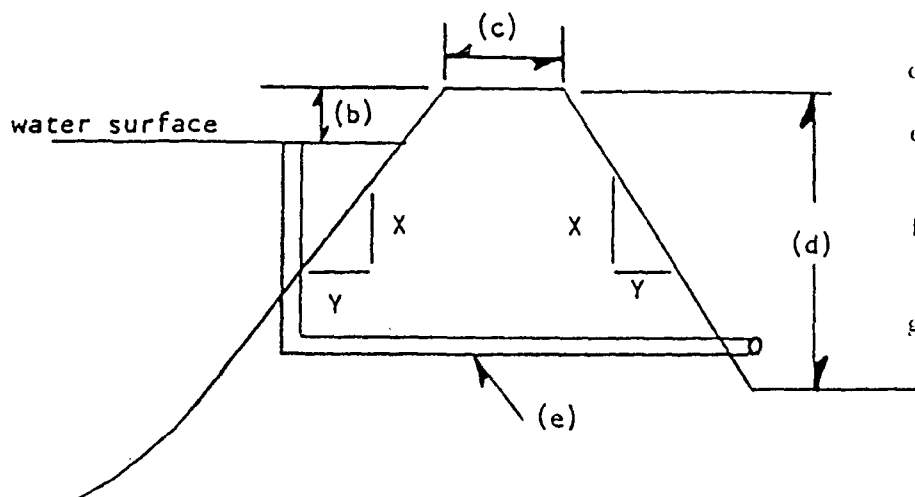
g) X & Y Slope
Upstream _____

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

Pierre, January 25, 1990

RECEIVED OF Black Hills National Cemetery Box 640 Sturgis, SD 57785-0640

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

Fee for Application for Permit No. <u>143-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150	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	150 00

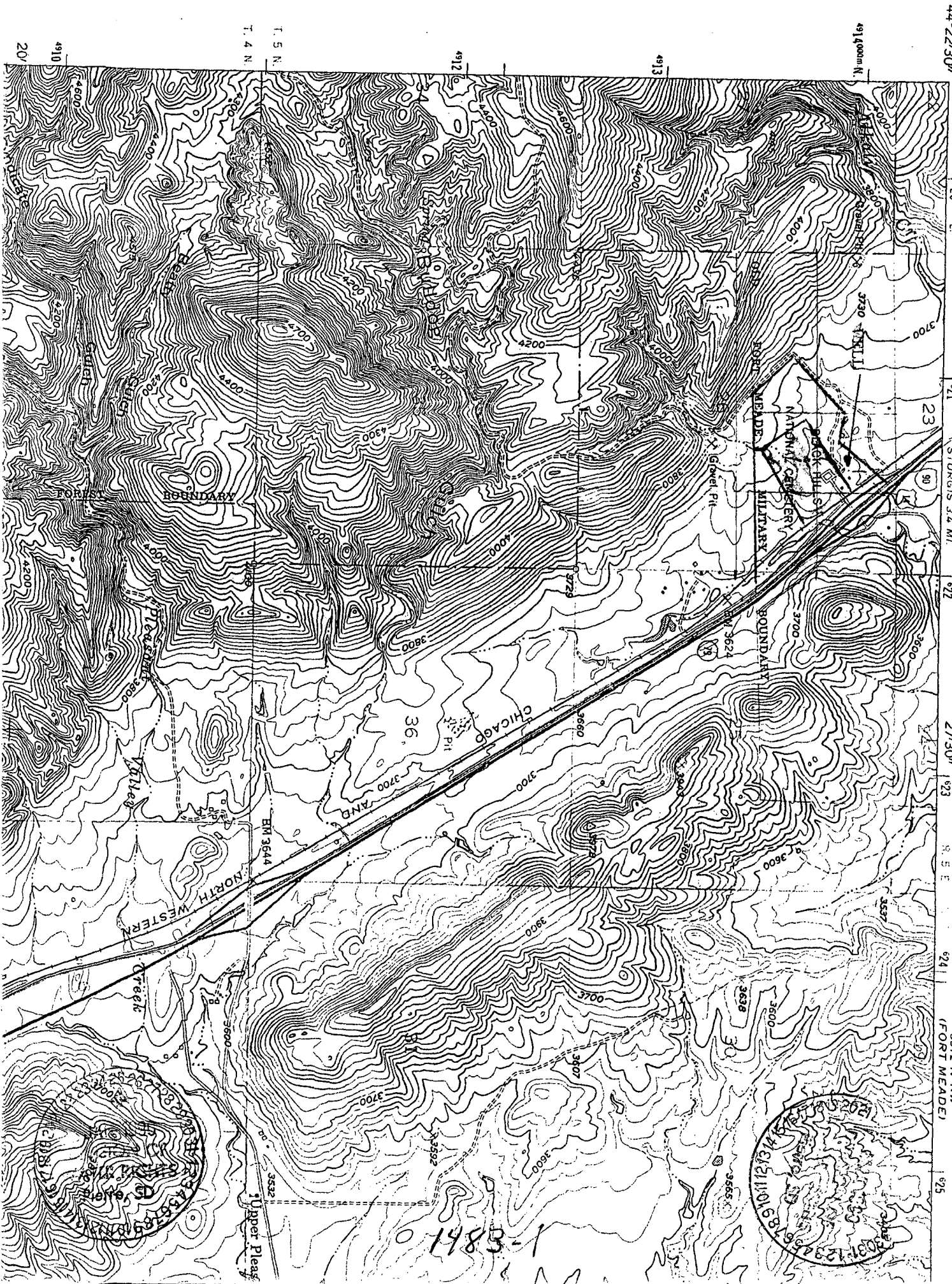
By John H. Ketchum
Chief Engineer

GEOLOGICAL SURVEY

103°30'
44°22'30"

CURRENT AREA BEING IRRIGATED
37 ACRES, MORE OR LESS
27°30' 1923

FUTURE DEVELOPMENT
68 ACRES, MORE OR LESS
5372 IV NW
(FORT MEADE)
1925



Medicine **Denver #15** **Cooper #08** **7-23-60**
Layna Minnesota Co **Black Hills National Cen.** **Well #5**
Meade **South Dakota** **Sec. 26-SU-SE** **Mr. Holian**

TYPE ☐ A. OIL ☐ C. GAS ☐ E. OTHER **FORMATION** **Pay from** **TO** **Bottom Hole**
WELL ☒ D. WATER ☐ D. WATER INJ. **Madison Lime** **34'**
CASING SIZE **2** **10"** **WEIGHT** **3** **TYPE OF CASING** ☐ A. N-80 ☐ C. H-40 ☐ E. LAPWELD ☒ D. J-55 ☐ D. P-110 ☐ F. OTHER **4 1/2" 200 Regular**
PRESSURE TOTAL DEPTH **1456** **P.B. FROM** **DATE WELL COMPLETED** **5-10-60** **SIZE O.H.** **5 7/8"** **LINER FROM** **TO** **SIZE** **WEIG**
DRILLING FLUID USED ☒ A. WATER BASE ☐ C. OTHER ☐ B. OIL BASE **PACKER TYPE** ☐ A. HOOK-WALL ☐ C. OPEN-HOLE **NAME OF PACKER** **Packer FBSD** **PACKER DEPTH** **1000's**
8 TUBING **2 7/8" Hydraulic** **ONE** **4000** **TUBING ALLOW. PRES.** **VOL.** **CASING ALLOW. PRES.** **INITIAL PRODUCTION** **WATER** **OIL** **GAS** **PRESSURE PRODUCTION** **WATER** **OIL**

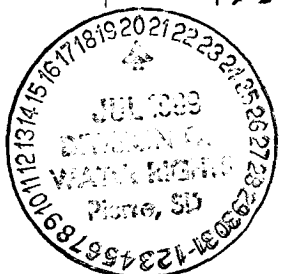
ACID, SHOOTING AND FRACTURING RECORD **No record**

10 SIZE HOLE DRILLER **11 NO. ZONES OPEN IN WELL** **7** **12 TOTAL THICKNESS PERFORATED OR O.H.** **4 1/4" 186**
PERFORATING DATA ON PAY ZONES

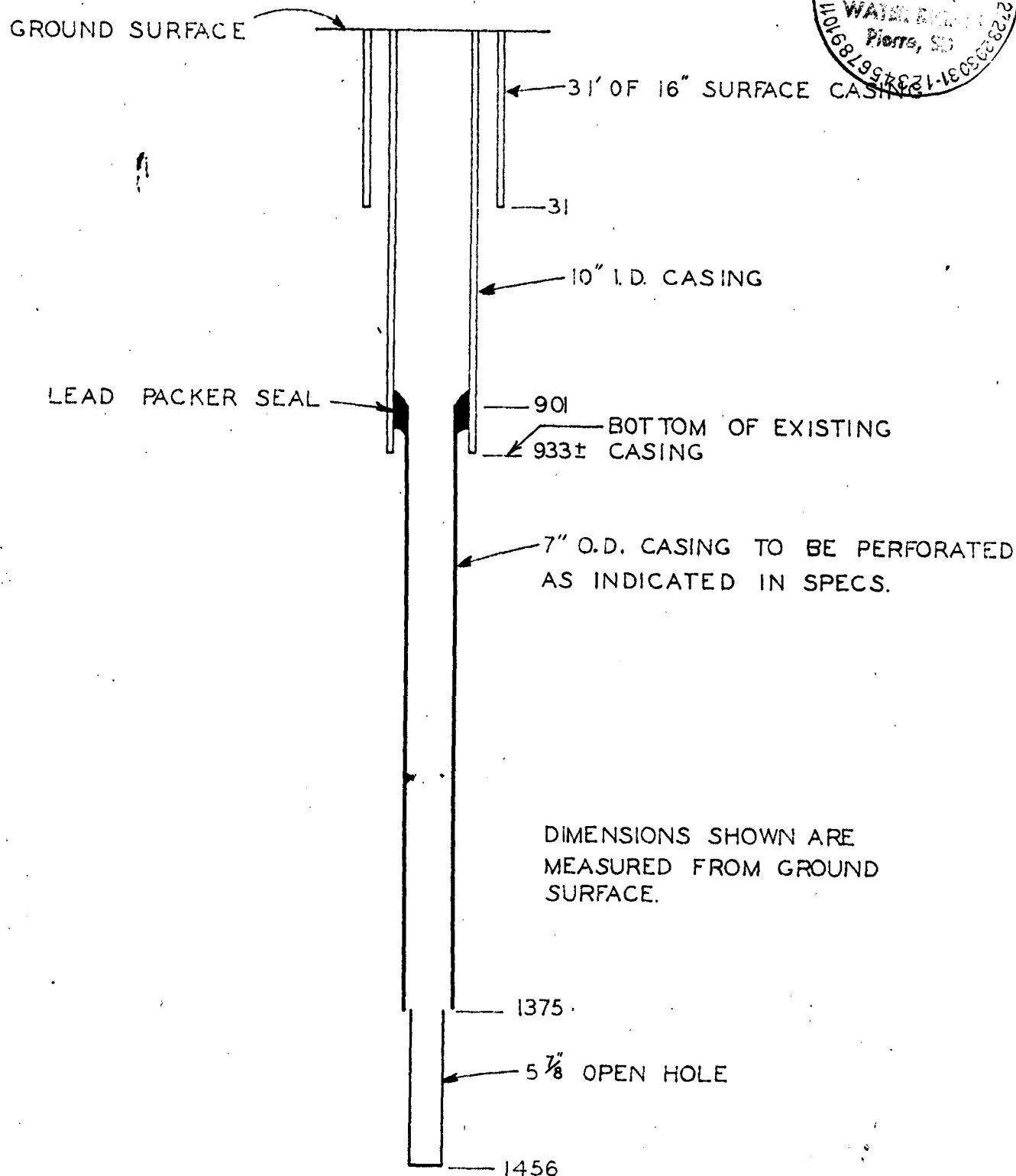
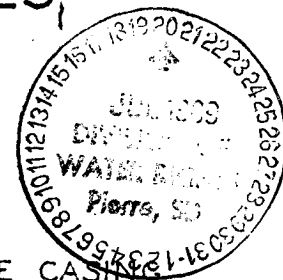
SHOTS	FT.	FROM	TO	SHOTS	FT.	FROM	TO
1	956	970	4	1000	10		
2	938	960	4	1140	12		
3	990	998	4	1290	13		
4	1028	1036	4	1375	14		

13 TREATMENT **MATERIALS TYPE** **AMOUNT** **MATERIALS TYPE** **AMOUNT**
Donnell's **10000 gal**
A74 **10000 gal**
14 PUMPING EQUIPMENT **MIXING OR BLENDING** **FLUSH TANKS** **OTHER** **Transport** **LBS SOL** **18 GAL.**

TIME (A.M. OR P.M.)	PRESSURE		BARRELS OF FLUID				ARRIVED AT LOCATION	REMARKS
	CASING	TUBING	OUT OF TANKS	IN FORMATION	PER READING	PER MINUTE	1000' H. H.	
12:00								Spot. Truck - operator run.
								pipe hole loaded - no gas
								head of BOP
2:30 AM								Test line to 4000 psi - OK
2:46								Start acid - packer set at 1280'
2:48	-	1030						Tubing full
2:50	Flow	950	18	8	18	6.0		Communication - shut down
								Set packer at 1280'
3:15	-	-						Start remaining acid for b
								220K2
3:17	-	700						Feed OK - no communication
3:24	-	500						Flow rate
3:33	-	100	90	80	72	4.3		Start flush
3:34	-	400	100	90	10	3.0		Flush complete - comp. out hole
3:44	-	600						run packer and bridge plug
7:27	-	600	198	198	38	6.0		Injected 50 lbs acid and 8'
								Water flush at 300 setting
8:07	Flow	800	182	172	24	6.0		Injected 17 lbs acid - 76%
								Flush at 4th setting
8:56	-	600	205	195	23	6.0		Injected 17 lbs acid - 16%
								Flush at 5th setting
9:23	-	500	228	218	23	6.0		Injected 17 lbs acid and 6'
								Flush at 6th setting
9:50	-	600	277	267	49	6.0		Injected 43 lbs acid - 6'



IRRIGATION WATER SUPPLY FACILITIES



7" PERFORATED CASING

DEPTH BELOW
GROUND SURFACE

ELEVATION

10" I.D. CASING

933.00			2692.00
933.31		.....	2691.69
945.31		.....	2679.69
951.31		.....	2673.69
963.31		.....	2659.69
985.31		.....	2639.69
993.31		.....	2631.69
1023.31		.....	2601.69
1031.31		.....	2593.69
1057.31		.....	2567.69
1065.31		.....	2559.69

7" O.D. PERFORATED CASING

1135.31		.....	2489.69
1185.31		.....	2439.69

VERTICAL SCALE OF
PERFORATED SECTION:
1 INCH = 60 FEET

1285.31		.....	2339.69
1321.31		.....	2303.69

1375.00			2250.00
		5 7/8" OPEN HOLE	



TWIN CITY TESTING AND ENGINEERING LABORATORY, INC.

NEWAY 5-8-443

ENGINEERS AND CHEMISTS

2440 Franklin Avenue - St. Paul 14, Minn.



REPORT OF: Chemical Analysis of Water

PROJECT:

DATE: October 26, 1960

REPORTED TO:

Layne-Minnesota Company
3147 California Street N. E.
Minneapolis 18, Minnesota

FURNISHED BY:

COPIES TO:

LABORATORY No. 160136

RECEIVED

OCT 27 1960

LAYNE-MINNESOTA CO.

Sample Identification:

Black Hills National Cemetery
Sturgis, South Dakota
Contract #DA - 6323

Results:

	P.P.M.
Total dissolved solids	40
Total solids	1200
Calcium as Ca	370
Magnesium as Mg	83
Sodium and Potassium as Na	6.8
Sulfates as SO_4	25
Chlorides as Cl	635
Bicarbonates as HCO_3	195
Carbonates as CO_3	0
Nitrates as NO_3	less than 2
Alkalinity	
Phenolphthalein as CaCO_3	0
Methyl Orange as CaCO_3	350
Iron as Fe	3.6
Silica as SiO_2	25
Fluoride as F	0.3
Manganese as Mn	0.1
Total hardness as CaCO_3	1265
Carbonate hardness as CaCO_3	350
Noncarbonate hardness as CaCO_3	915
Free carbon dioxide as CO_2	350
pH	6.3

Remarks:

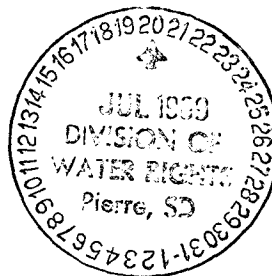
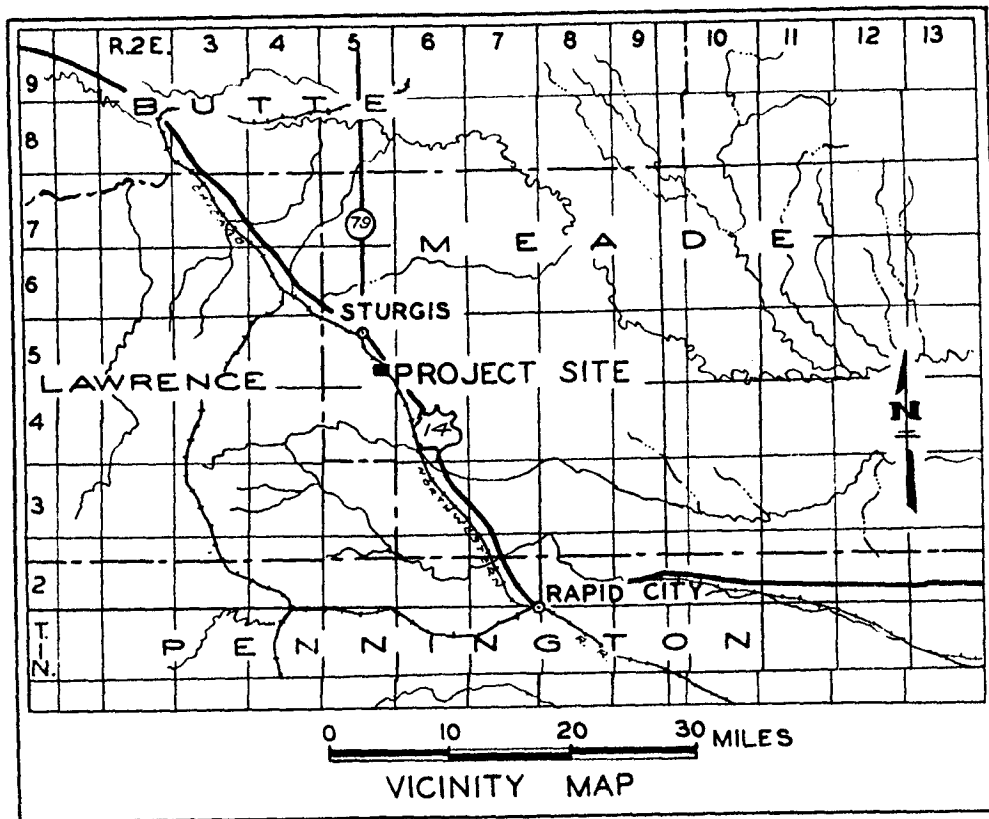
Sample received for analysis October 12, 1960.



STATEMENTS, THE PUBLIC AND OTHERWISE, ALL REPORTS ARE CONSIDERED AS THE CONFIDENTIAL PROPERTY OF CLIENTS, AND AUTHORIZED STATEMENTS, OR EXTRACTS FROM OR REGARDING OUR REPORTS IS RESERVED PENDING OUR WRITTEN APPROVAL.

Twin City Testing and Engineering Laboratory, Inc.

By:



THESE CURVES SHOW THE GENERAL SHAPE OF THE PUMP-BOWL CHARACTERISTICS UNDER SHOP TESTS AT THE CONSTANT SPEED INDICATED. A TOLERANCE OF PLUS OR MINUS 2% MUST BE ALLOWED IN THE GUARANTEED CAPACITY, HEAD, AND EFFICIENCY AT THE RATED POINT WHEN PUMPING NON-GASEOUS WATER, FREE FROM DETRITUS, AT A TEMPERATURE NOT OVER 86° FAHR., AND WITH THE LOWEST IMPELLER SUBMERGED.

ADDRESS

TYPE OF PUMP FIG.

SIZE OF PUMP

DRLC

R.P.M.

1760

INS. 30 STAGES 40R13

IMPELLER STD.

FROM TEST NO. 2201

THE FIELD PERFORMANCE AS SHOWN BELOW, MAKES ALLOWANCE FOR ALL THE HYDRAULIC AND MECHANICAL LOSSES IN THE COLUMN AND SHAFT OF THE INSTALLATION ACCORDING TO THE STANDARDS OF THE HYDRAULIC INSTITUTE. THE FIELD PUMPING HEAD IS THE LIFT FROM THE WELL PLUS THE DISCHARGE HEAD MEASURED AT THE DISCHARGE CONNECTION AT THE SURFACE.

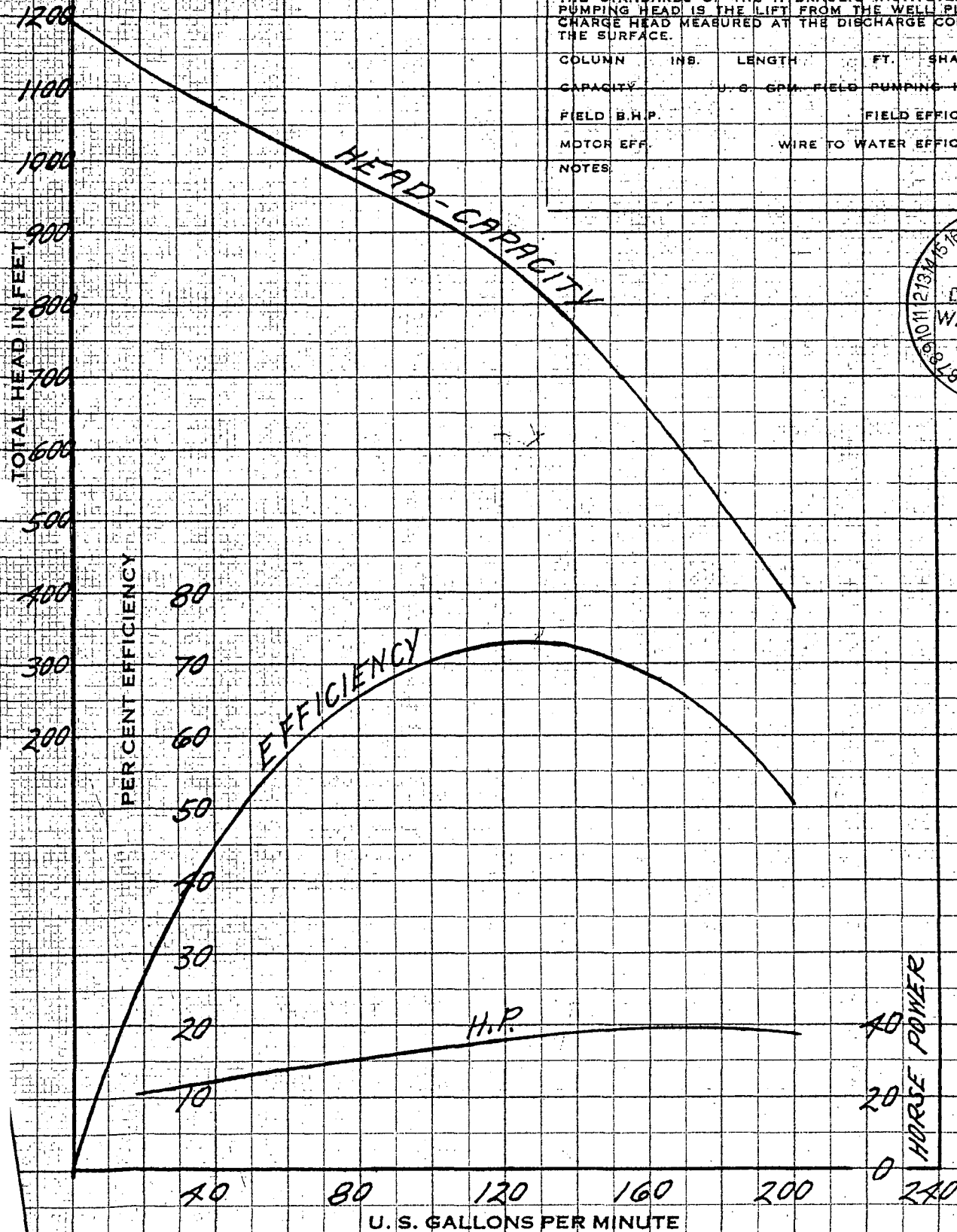
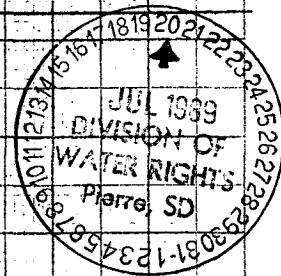
COLUMN INS. LENGTH FT. SHAFT DIA.

CAPACITY U.S. GPM FIELD PUMPING HEAD

FIELD B.H.P. FIELD EFFICIENCY

MOTOR EFF. WIRE TO WATER EFFICIENCY

NOTES



Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

WR#

OWNERS NAME: _____ OWNERS ADDRESS: _____

COUNTY LAND LOCATED IN: _____ PHONE: _____

LEGAL DESCRIPTION:

☐ Well

☐ Surface

1. LOCATION _____

Depth _____

Legal Description	Acres	Legal Description	Acres

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: (Specify) _____

3. CROPS TO BE IRRIGATED: _____

WATER QUALITY:

4. WATER SAMPLE NUMBER: _____ 7. ADJUSTED (SAR): _____

5. SALINITY (EC X 10⁶): _____ 8. PERCENT SODIUM _____

6. SODIUM (SAR): _____

Requirements:



APPROVED

DISAPPROVED

WAIVER

REQUIREMENTS

Director, Division of Conservation

Date

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.



Department of Water & Natural Resources

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

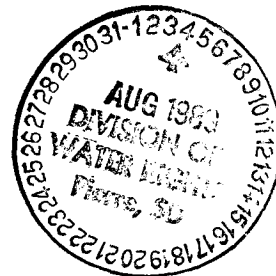
July 24, 1989

Daniel L. Nelson, Director
Black Hills National Cemetery
Box 640
Sturgis, SD 57785

Dear Mr. Nelson:

This is in response to the water permit application received from you on July 20, 1989. The application is incomplete for the following reason(s):

- (1) The amount of water claimed (question no. 2) on the enclosed application form needs to be completed. According to South Dakota Water Law, the maximum rate of diversion for irrigation is 1 cubic foot of water per second (cfs) for each 70 acres irrigated. Using this figure, the maximum amount of water you could claim is 0.52 cfs or approximately 230 gallons per minute to irrigate 37 acres.
- (2) The legal description of the point of diversion (question no. 4) on the enclosed application form needs to be completed. The description should include the quarter-quarter, section, township, and range.
- (3) A map outlining the acreage irrigated and signed by either a South Dakota Registered Professional Engineer, a South Dakota Licensed Land Surveyor, or by a government employee who normally prepares maps as part of their duties, needs to be submitted.
- (4) The legal description of the acres irrigated (question no. 7) on the enclosed application form needs to be completed. The description should include quarter-quarter, section, township, and range as in no. 2 above.
- (5) A well log, signed by a South Dakota Licensed Well Driller, needs to be submitted. If a well log is not available, please indicate any information that is available for the well (i.e., when the well was drilled, who drilled the well, etc.) on the enclosed Form 2A. *End 3*



July 24, 1989
Black Hills National Cemetery
page 2

I am enclosing Form 2B entitled 'Affidavit of Water Use'. This form is submitted, along with the other application information, for Vested Water Rights. You qualify for a vested water right if the well was under construction and/or the water in use prior to February 28, 1955. Please complete this form if you feel you do qualify for a Vested Water Right Claim.

The application fee also needs to be submitted. The fee for filing a Vested Right Claim is \$15. The application fee for a regular permit application to irrigate 37 acres is \$150 (see enclosed instruction sheets).

The Water Management Board cannot consider a water permit application until it is complete. Please complete and return the enclosed application form and Form 2A, submit the required signed map and well log, if available, and the correct application fee to begin processing of your water permit application.

Feel free to contact me if you have any questions.

Sincerely,

Susan A. Bowar

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosures



**Veterans
Administration**

Black Hills National Cemetery
Box 640, Sturgis, SD 57785
605/347-3830

August 2, 1989

Water Rights Division, DWNR
Joe Foss Building
Pierre, SD 57501

ATTN: Susan Bowmar

In Reply Refer To:



1. Notarized application forms and \$15 fee for Vested Right Claim are enclosed.
2. Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Daniel L. Nelson".

DANIEL L. NELSON
Director

de

ENC: as



Department of Water & Natural Resources

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

August 14, 1989

Daniel L. Nelson, Director
Black Hills National Cemetery
Box 640
Sturgis, SD 57785

Dear Mr. Nelson:

This letter is in response to the water permit application received from you on July 20, 1989 and August 4, 1989. There are still several items that need to be addressed before your application can be considered complete:

- (1) Please clarify the amount of water claimed on the enclosed application form (question no. 2). As I had mentioned to you in my letter of July 24, 1989, the maximum amount of water that can be claimed for irrigating 37 acres is 0.52 cubic feet of water per second (cfs), which is approximately 230 gallons of water per minute (gpm). Your application indicates 0.052 cfs or approximately 23 gpm. For a Vested Water Right Claim, you must indicate the amount of water that was in use prior to 1955. You mention on the Affidavit of Use form, enclosed, that in 1960 the well was developed to produce 85 gpm (approximately 0.18 cfs). What did the well produce prior to 1955? The amount of water produced prior to 1955 is eligible for a Vested Water Right. Any additional amount of water developed after that must be applied for in a separate water permit application. You also mention that water from the well is used for 'domestic use' to supply the cemetery lodge, administration building, and two shop buildings. The amount of water used for this purpose should be specified separately under question no. 2 on the enclosed application form. The amount used prior to 1955 is eligible for a Vested Water Right. Any increase in water use for this purpose after 1955 must be applied for in a separate application as explained above. This use is not, by definition, domestic use; it is institutional use.



August 14, 1989
Nelson
page 2

- (2) The location of the well as described on the enclosed application form (question no. 4) is the NE 1/4 Section 25-T5N-R5E. The location of the well as marked on the enclosed map that was submitted is the NW 1/4 NE 1/4 Section 26-T5N-R5E. Please indicate the correct location (quarter-quarter, section, township, and range) of the well. In addition, the irrigated acreage needs to be outlined and the township and range need to be indicated on the enclosed map.

I am enclosing blank application forms for filing an application for any water in use now that was developed after February, 1955 and forms for filing an application for the future expansion you mentioned.

Feel free to contact me if you have any questions.

Sincerely,

Susan A. Bowar

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosures



**Veterans
Administration**

Black Hills National Cemetery
Box 640, Sturgis, SD 57785
605/347-3830

November 30, 1989

In Reply Refer To:



Water Rights Division
523 E. Capitol
Pierre, SD 57501

ATTN: Ron Duvall

Dear Mr. Duvall,

This letter is in response to your January 8, 1990 letter concerning our water application.

1. We are presently irrigating 37 acres and future development is not planned until the year 2005.
2. Application fee \$150, is enclosed.
3. Acreage irrigated prior to 1955 was 6.2 acres.
4. Maps requested are enclosed.

Sincerely,

DANIEL L. NELSON
Director

ENC: as



Department of Water & Natural Resources

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

January 8, 1990

Daniel L Nelson, Director
Black Hills National Cemetery
Box 640
Sturgis SD 57785

Dear Mr. Nelson:

This letter is in response to the revised applications received on December 5, 1989. Susan Bowar is no longer with the Division of Water Rights so I will assist you with completing your applications. The following items are needed to complete the applications:

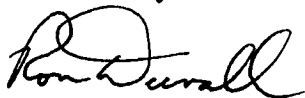
- 1) The new application to increase the diversion rate to 0.52 cfs indicates that 37 acres are to be irrigated. If the new application is approved, you will have 5 years to complete any additional construction of works to use the water. If the area to be irrigated 5 years from now will be greater than 37 acres, then you should specify the number of acres you believe will be irrigated. The diversion rate can then be increased also if the number of acres is increased. The number of acres divided by 70 will give you the maximum diversion rate allowable. Please advise if you wish to increase the acreage and diversion rate, otherwise I will leave the application as completed for 0.52 cfs to irrigate 37 acres.
- 2) The application fee to irrigate up to 60 acres is \$150.00. Please remit the \$150.00 fee. The \$15.00 fee for the vested right claim has already been received.
- 3) The vested right application should specify only the acreage irrigated prior to 1955. Currently, the vested right application specifies 37 acres. Please advise if 37 acres were being irrigated or if the acreage was less than 37 acres.
- 4) The map Susan returned to you was not returned to the Division of Water Rights. Enclosed are two copies of a topographical map of the area described on your application. The acreage irrigated prior to 1955 needs to be outlined on one map with the well location also being shown on the map. The second map needs to show the current acreage being irrigated and any additional areas to be irrigated pursuant to item No. 1 in this letter along with the well location. Both maps need to be prepared and signed by one of the persons outlined in the enclosed instruction sheet. The office clerk should not complete the maps unless he or she prepares maps on a regular basis.

January 8, 1990
Daniel L Nelson
Black Hills National Cemetery
Page 2

The Water Management Board can not consider the applications until the applications are complete. Please respond to the above items to complete the applications.

If you have any question, please contact me.

Sincerely

A handwritten signature in cursive script, appearing to read "Ron Duvall".

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.

Conversation or File Documentation

NAME OF PERSON OR FILE: Dan Nelson (Black Hills Cemetery)ADDRESS: Box 640 Sturgis COUNTY ~~SD~~ 57785DATE: 3/14/90 TELEPHONE: 347-3830

RE: _____

COMMENTS:

I discussed the location of the lands to be irrigated with Mr. Nelson. He was in agreement that the land description should include the SW¹/₄ NE¹/₄ of Section 26 T5N-R5E. I have included our discussed change to their new appl. & vested WR claim

Point of diversion is not changed

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric S. Gunderson



Department of Water & Natural Resources

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

March 20, 1990

Daniel L. Nelson, Director
Black Hills National Cemetery
P.O. Box 640
Sturgis, SD 57785

Re: Water Permit Application and Vested Right Claim

Dear Mr. Nelson:

This letter is in response to the Black Hills National Cemetery's water permit application and vested right claim I discussed with you March 13, 1990. There are still a number of items that must be clarified on these two permits before the application can be considered complete most notable the legal land description. After our conversation, I reviewed the map you submitted and their still appears to be some discrepancies. The proper legal description of those lands irrigated is a necessity to the water permitting process. The following items must be addressed before I can proceed with processing the permit:

- 1) The legal description acreage must be described by each 40 acre sub-parcel (quarter-quarter) with the actual number of acres irrigated in each sub-parcel defined. Your previous application and subsequent correspondence has stated the lands irrigated are in the NW1/4NE1/4 and the SW1/4NE1/4 of Section 26-T5N-R5E. Close examination of the submitted maps show that all four sub-parcels in the NE1/4 of Section 26 are part of the water permit application and vested right claim. For the water permit application to irrigate 37 acres and the 6.2 acre vested right claim please clarify the lands by 40 acre sub-parcels and the number of acres within each sub-parcel.
- 2) The location of the well must be marked on the water permit application. Attached is the map that you submitted.
- 3) The vested right claim needs to quantify the amount of water used for institutional purposes (cemetery lodge, administration and shop buildings) prior to 1955. This amount of water should be specified separately under question No. 2 of the application form. Correspondence from this office dated August 14, 1989 requested this information but to the best of my knowledge no response was received. I have enclosed a copy of the submitted vested right claim.

- 4) The water permit application also needs to specify what portion of water is used for institutional purposes regarding this permit. This would be the quantity of water currently used for the cemetery lodge, administration building and shop buildings. A copy of your water permit is attached.

The Water Management Board can not consider the application until these items are addressed and the soil/water compatibility permit is approved by the Department of Agriculture. Please respond to the above items to complete the application.

If you have any questions, please contact me.

Sincerely,

Eric Gronlund
Natural Resources Engineer
Division of Water Rights
(605) 773-3352

enc.



**Veterans
Administration**

Black Hills National Cemetery
P.O. Box 640
Sturgis, SD 57785

March 23, 1990

In Reply Refer To:

Mr. Eric Gronlund
SD Department of Water and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181



SUBJ: Water Permit Application and Vested Right Claim

Dear Mr. Gronlund:

As requested, the following information is forwarded in reference to our water permit application:

1. Application for 37 acres includes approximately 8 acres in the NW 1/4 of the NW 1/4 of section 26, 5 acres in the NE 1/4 of the NW 1/4 of section 26, 20 acres in the SW 1/4 of the NW 1/4 of section 26 and 4 acres in the SE 1/4 of the NW 1/4 of section 26.

2. Application for 6.2 acres includes 4 acres in the NW 1/4 of the NW 1/4 of section 26, 1 acre in the NE 1/4 of the NW 1/4 of section 26 and 1.2 acres in the SW 1/4 of the NW 1/4 of section 26.

3. The exact location of our well is marked on the attached map.

4. Prior to 1955: I estimate the annual institutional usage at 25,000 gallons per year.

5. Estimated institutional use at this time is 100,000 gallons per year.

I hope the above information is adequate. If not, please give me a call at 605-347-3830.

Sincerely,


DANIEL L. NELSON
Director

Conversation or File Documentation

NAME OF PERSON OR FILE: Black Hills National CemeteryADDRESS: _____ COUNTY MeadeDATE: 4/2/90 TELEPHONE 347-3830

RE: _____

COMMENTS:

I call Mr Nelson in regards to the cemetery
VR permit and permit for 37 acres. His letter
dated 3/23/90 was in error in that it references
the ~~SW~~ quarters in NW 1/4 of Section 26, this should read
the quarters of the NE 1/4 of Section 26 T5N R5E

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Humbert

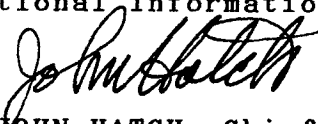
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1483-1, Black Hills National Cemetary

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. 1483-1, Black Hills National Cemetary, Box 640, Sturgis SD.

The Chief Engineer is recommending APPROVAL of Application No. 1483-1 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:

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
June 1, 1990

REPORT ON WATER PERMIT APPLICATIONS
No. 1483-1 AND No. 1484-1
BLACK HILLS NATIONAL CEMETERY
JUNE 1, 1990

Permit application No. 1483-1 proposes to appropriate 0.52 cubic feet of water per second to irrigate 37 acres, and provide 100,000 gallons per year for institutional purposes. Application No. 1484-1 proposes validation of a vested water right claim for 0.05 cubic feet of water per second to irrigate 6.2 acres, and 25,000 gallons per year for institutional purposes. The priority date claimed for this vested right is June 29, 1948. The source of water for these applications is one well 1456 feet deep, located in the NW 1/4 NE 1/4 Sec. 26, T05N-R05E. The irrigated acreage is located, or is to be located, in the NW 1/4 NE 1/4, SW 1/4 NE 1/4, NE 1/4 NE 1/4, of Sec. 26, T05N-R05E.

AQUIFERS: Minnelusa Formation and Madison Limestone

GEOLOGY AND AQUIFER CHARACTERISTICS:

The well used to provide water for these applications was constructed in 1948, and the total depth of the well was increased from 1375 feet to 1456 feet in 1960. The well construction information provided with the applications identifies 8 production intervals in this well. The casing was perforated from 933'-945', 951'-965', 985'-993', 1023'-1031', 1057'-1065', 1135'-1185', 1285'-1321', and the wellbore is not cased from 1375-1456. A static water level taken 24 hours after pumping was measured at 190 feet below grade on June 12, 1990, (personal communication with Daniel Nelson, June 12, 1990). It is not known where the water is coming from. A review of well logs from the area (Water Rights, 1990), and published geohydrologic information suggest this well is open to both the Minnelusa and Madison aquifers.

The Minnelusa Aquifer is composed of a varied assemblage of sandstone, limestone, dolomite, and shale, approximately 500 feet thick in this area. The top of the aquifer is approximately 750 feet below ground surface at this site. The aquifer is under artesian at this location with an estimated static water level of 300 feet below grade (Kyllonen, 1987). The Minnelusa underlies approximately 2,172,800 acres of Meade County and contains an estimated 81,480,000 acre-feet of recoverable water in storage in the county (Allen, 1984). The hydraulic characteristics of the Minnelusa Aquifer reflect the lithology and are therefore quite variable. Hydraulic conductivity estimates for the aquifer range from 2.4×10^{-5} to 1.4 ft/d, transmissivity estimates range from 30 to 1,000 ft²/d, and estimates of the Minnelusa's storage coefficient range from 6.6×10^{-5} to 2.0×10^{-4} (Kyllonen, 1987). Recharge to the Minnelusa aquifer occurs through direct

infiltration of precipitation at the outcrop area, streamflow losses, and potentially from upward movement of water from the underlying Madison Limestone. Although distinct potentiometric surfaces exist in the Minnelusa and Madison aquifers, the lower portion of the Minnelusa formation, consisting primarily of limestone and dolomite, may be a leaky confining layer of the underlying Madison.

The Madison (Pahasapa) Limestone is a massive, fine to medium crystalline, cavernous limestone and dolomite approximately 400 feet thick in this area. The top of the Madison aquifer is estimated to be 1250 feet below grade at this site. The aquifer is under artesian conditions at this location and the static water level of the Madison is estimated to be 350 feet below grade (Kyllonen, 1987). The importance of the Madison as an aquifer is largely due to well developed zones of secondary porosity and permeability formed by weathering of exposed surfaces, groundwater solution and fracturing. The Madison underlies approximately 2,214,400 acres of Meade County and contains an estimated 83,040,000 acre-feet of recoverable water in storage in the county. Estimates of the Madison's hydraulic conductivity range from 2.4×10^{-5} to 1.9 ft/d, transmissivity estimates range from 0.01 to 5400 ft²/d, and estimates for the Madison's storage coefficient range from 2×10^{-4} to 3×10^{-4} . Recharge to the Madison aquifer occurs through direct infiltration of precipitation at the outcrop area and streamflow losses.

SPECIAL CONSIDERATION:

SDCL 46-6-10 states "the Water Management Board shall require every well to be constructed and finished as to prevent waste of its waters or underground leakage of these waters into other reservoirs." Although natural leakage may occur between the two aquifers, this well is constructed in a manner which allows for leakage between the Madison and Minnelusa aquifers.

REVIEW OF EXISTING WATER RIGHTS:

The Minnelusa and Madison aquifers are used to a limited extent to provide water for domestic wells (Water Rights, 1990). The principle use of the aquifers is to provide water for community water systems. Most municipalities in the Northern Black Hills rely at least in part on the Minnelusa Aquifer, Madison Aquifer, or a combination of the two aquifers for supplies. The city of Sturgis (located approximately 2 miles north west of this well site) obtains a portion of its municipal water from the Minnelusa and from the Madison. The nearest permit appropriating water from the Minnelusa aquifer is No. 1188-1, Blucksberg Mountain Water Association which appropriates 0.30 cfs from two wells. The wells are located approximately 1 mile and 1.5 miles, respectively, from this well. The nearest permit appropriating

water from the Madison aquifer is 1277-1, Pleasant Valley Development Corporation, the permit appropriates 0.04 cfs from a well located approximately 2 miles from this well.

OBSERVATION WELLS:

The Division of Water Rights currently monitors 15 observation wells completed into the Minnelusa Aquifer and 7 observation wells completed into the Madison Aquifer. Two additional observation wells are scheduled to be completed into the Madison Aquifer in 1990.

The nearest Minnelusa observation well, (MD-84B), is located approximately 5 miles SE of this well site. The 5 year period of record from the well indicates the static water level of the Minnelusa fluctuates approximately 28 feet (hydrograph included). The downward trend of the water level in recent years is probably indicative of recent low annual precipitation from 1986 to present. Comparisons between the hydrograph of MD-84B with a Water Rights Division Observation Well with period of record to 1963, (LA-64A) suggests the downward trend may be cyclic. The hydrograph of LA-64A shows approximately 19 psi fluctuation or approximately 44 feet between highest and lowest water level readings.

The nearest Division of Water Rights Observation well completed into the Madison Aquifer is located approximately 2 miles NW of this well site (MD-86A). A hydrograph showing water level measurements June 1987 through Sept. 1989, indicate the water level fluctuations at the site over 20 feet. The short period of record for the well is insufficient to evaluate the water availability in the area. Comparison between this observation well and a Water Rights Division Observation well completed into the Madison (PE-65A), with period of record from 1965 to present suggest the downward trend of the water level may represent the past three dry years rather than a water availability concern. The Division of Water Rights has scheduled installation of a Madison aquifer observation well approximately 5 miles southeast of the well site for these applications. The well is located in the immediate vicinity of LA-84B and may provide additional information of the Madison-Minnelusa relationship.

CONCLUSIONS:

1. The well used to supply water for these Applications was constructed in 1948 and rehabilitated in 1960. The well appears to have been constructed in violation of SDCL 46-6-10.

2. The Minnelusa and Madison Aquifers are viable aquifers in this area and there is a reasonable probability that unappropriated water is available from either aquifer.
3. Average annual recharge has not been estimated for either aquifer. Historic data suggests that average annual withdrawal from the aquifers does not exceed average annual recharge.
4. The appropriation requested by these applications can probably be made without adversely affecting existing wells.
5. The well associated with these applications has been in existence since 1948 with no reported controversy.
6. Submission of the annual waer use data is required.

Ken Buhler /ks
Ken Buhler
Natural Resources Engineer

approved by

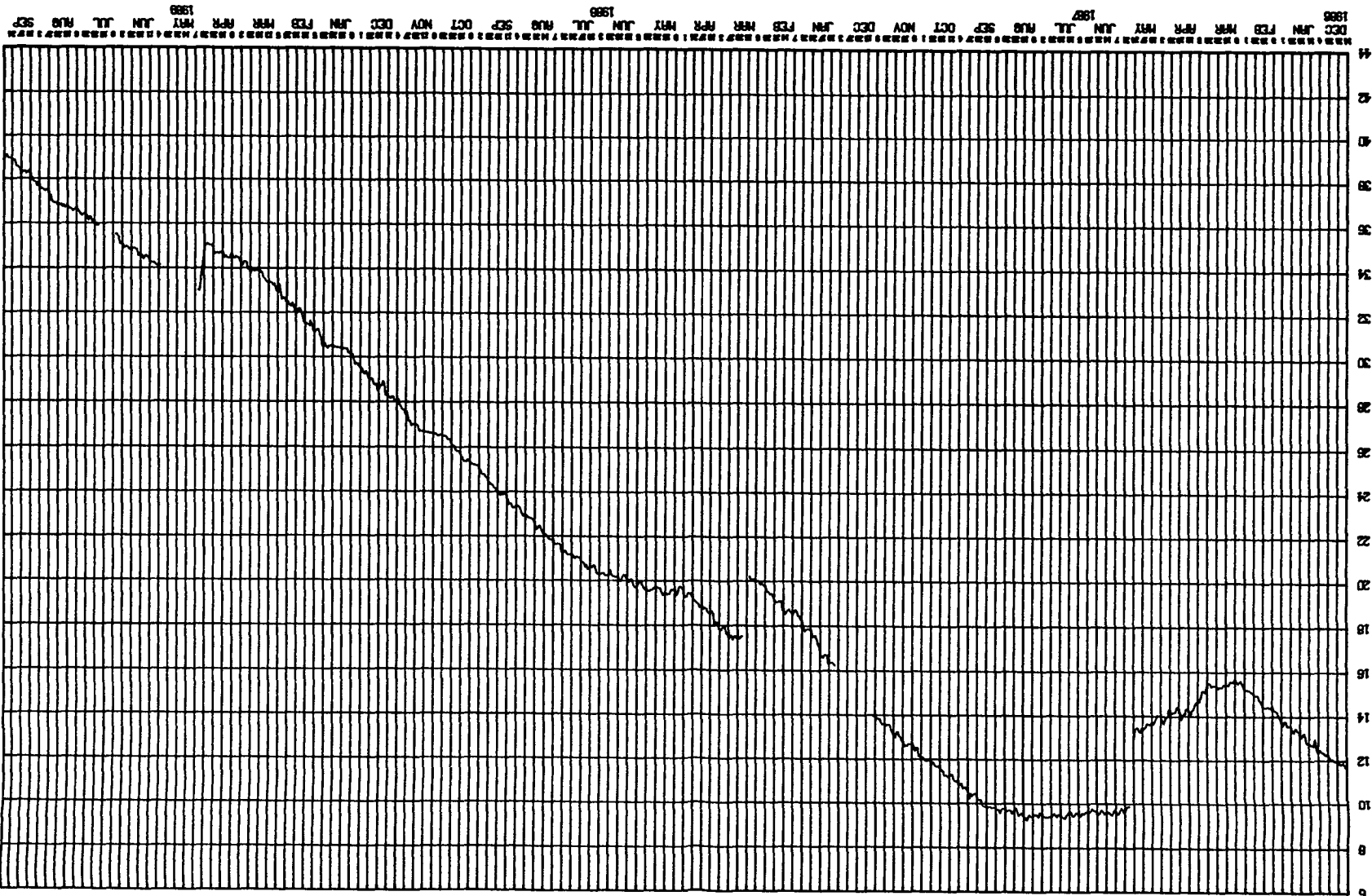
James A. Goodman
JAMES A. GOODMAN, P.E.
Natural Resources Engineer

REFERENCES:

- Allen, J.C., D. Iles, A. Petres, 1984, Analysis of Ground Water and Streamflow Data Western Dakotas Region of South Dakota, Tasks 3 & 4: Groundwater Resources Inventory, Department of Water and Natural Resources, Division of Geological Survey, Vermillion, South Dakota, 57069, U.S. Army Corps of Engineers Contract No. DAWC ;45-82-C-0151
- Division of Water Rights, 1990, "Observation Well Files", SD DWNR-Division of Water Rights, Joe Foss Building, Pierre, SD, 57501
- Division of Water Rights, 1990, "Water Permit Files", SD DWNR-Division of Water Rights, Joe Foss Building, Pierre, SD, 57501
- Kyllonen, D.P., K.Peter, 1987, Geohydrology and Water Quality of the Inyan Kara, Minnelusa, and Madison Aquifers of the Northern Black Hills, South Dakota and Wyoming, and Bear Lodge Mountains, Wyoming, USGS Water-Resources Investigations Report 86-4158, Rapid City, South Dakota, 57701

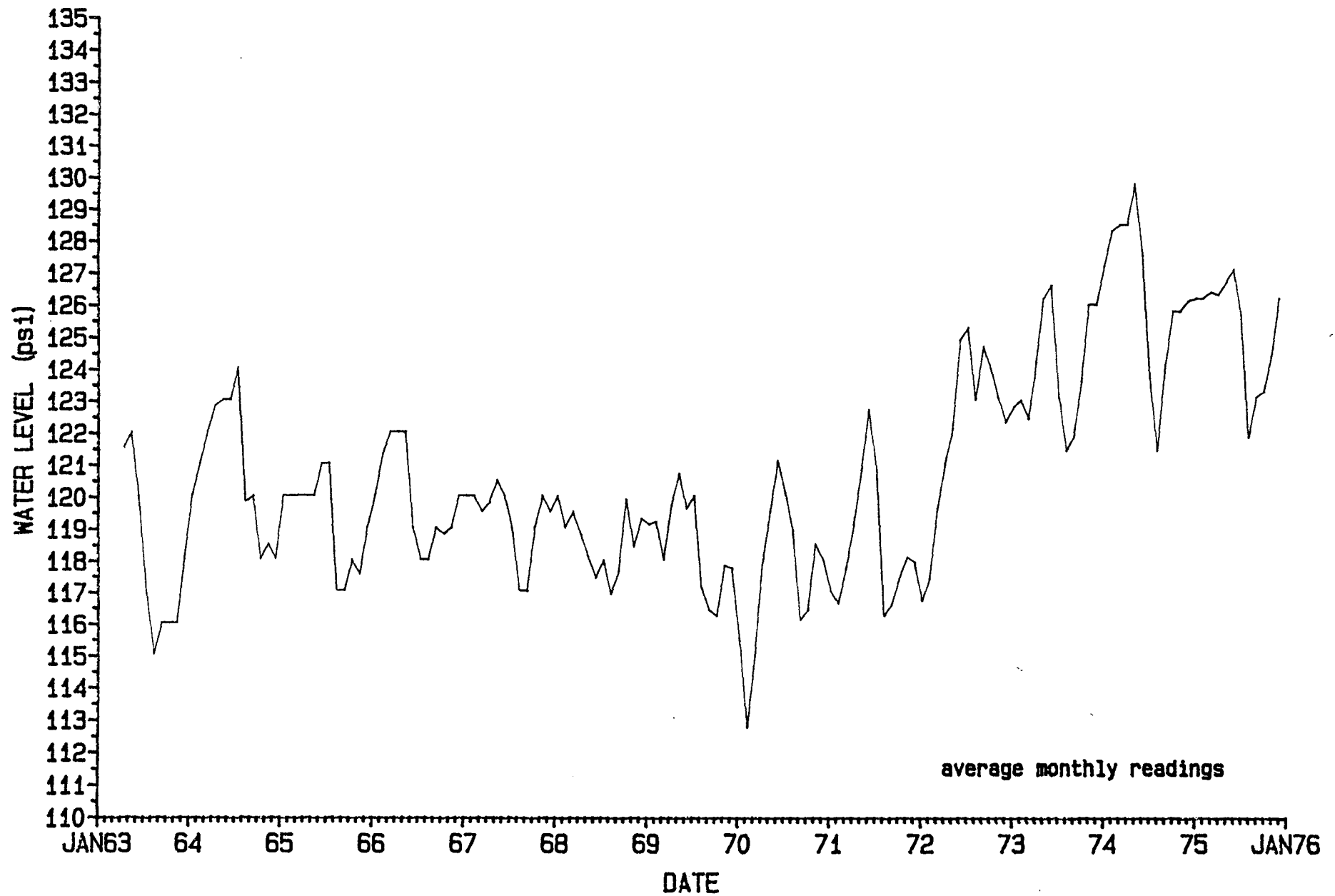
MD 84B

DEPTH BELOW LAND S., IN FT

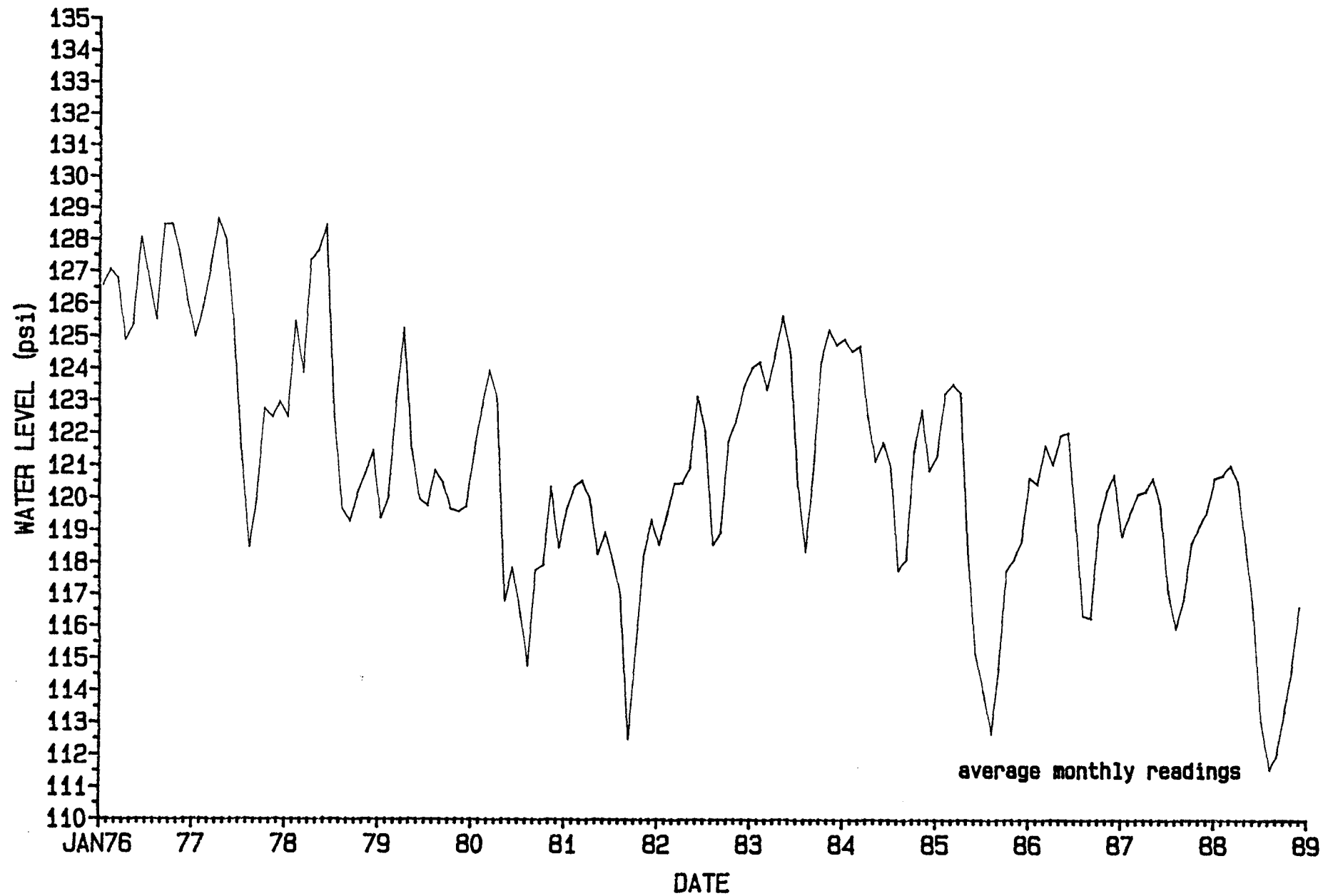


441759103261201 4N 6E19RABH
MAXIMUM DAILY DEPTH BELOW LAND S. (FT)

REDWATER WELL
LA-64A

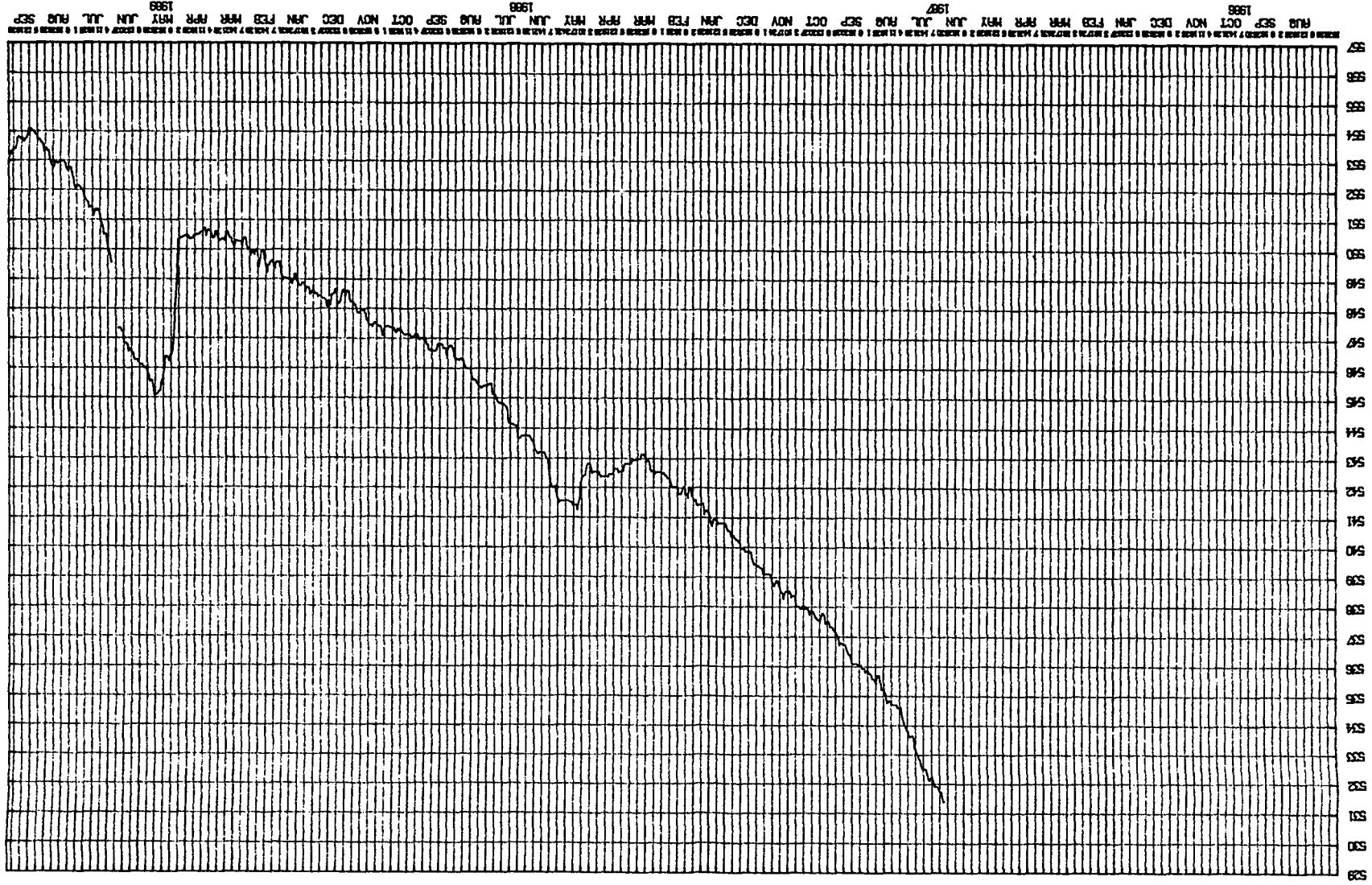


REDWATER WELL
LA-64A



MO96A

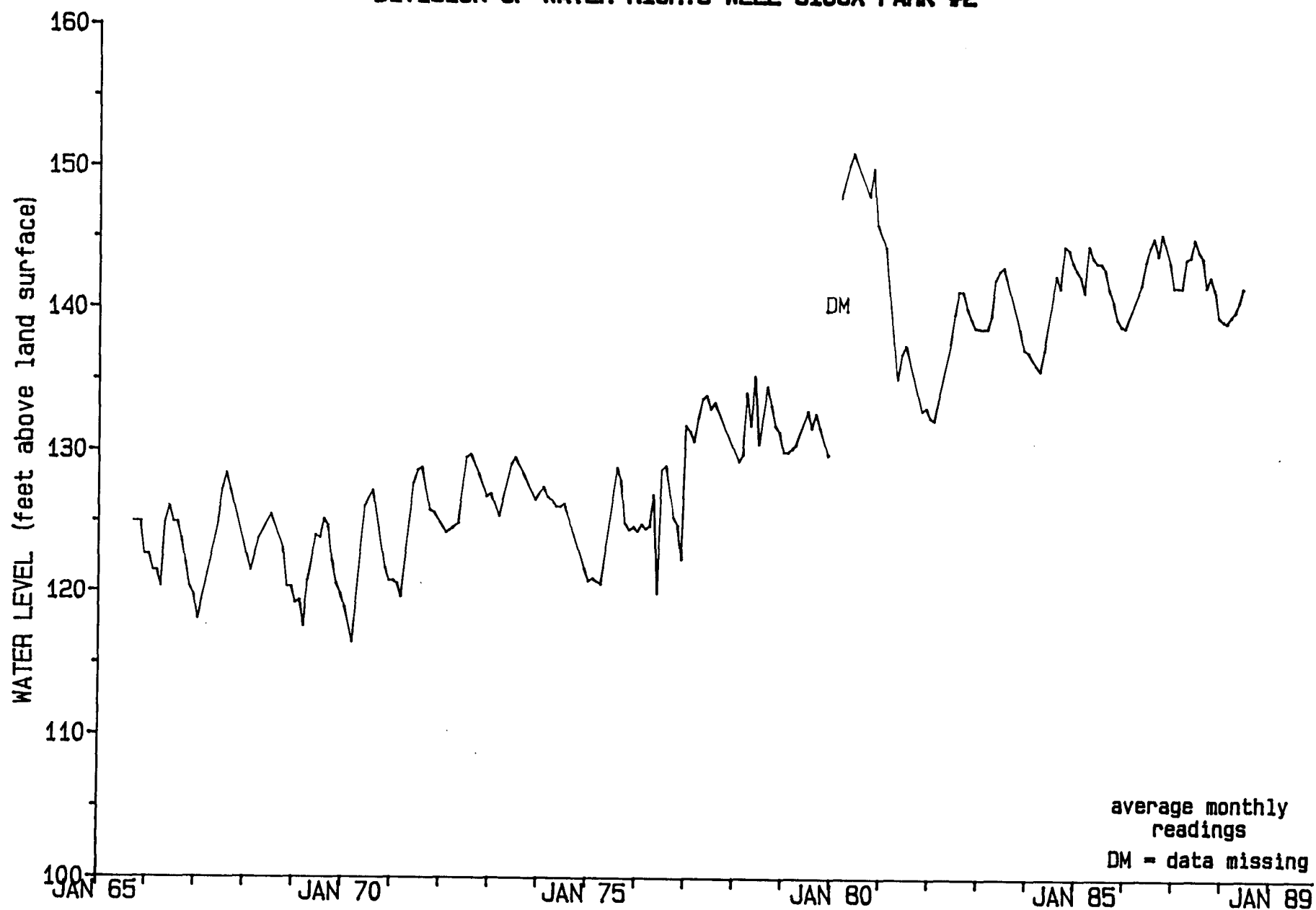
DEPTH BELOW LAND S., IN FT



442335103311001 SN 5E16CHRD
MAXIMUM DAILY DEPTH BELOW LAND S. (FT)

3/14/89

MADISON AQUIFER OBSERVATION WELL DIVISION OF WATER RIGHTS WELL SIOUX PARK #2





Department of Water & Natural Resources

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

June 20, 1990

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

Daniel L. Nelson
Black Hills National Cemetery
PO Box 640
Sturgis SD 57785-0640

Dear Mr. Nelson:

Your Vested Right Application No. 1484-1 and Water Permit Application No. 1483-1 have been examined and found to comply with the South Dakota Water Laws and applicable rules. The Notices of Hearings have been sent to the Publisher of the Meade Co. Times-Tribune printed at Sturgis SD. For your information, a copy of each notice, the recommendations of the Chief Engineer and a report on the two applications are enclosed. Please review the notices and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of the two Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish each notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the applications can be considered by the Water Management Board.

Sincerely,

A handwritten signature in cursive script that reads "Eric Gronlund".

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

June 20, 1990

Meade Co Times-Tribune
Box 69
Sturgis SD 57785

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1483-1 to be published twice. Please publish the first notice on or before June 28, 1990 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Black Hills National Cemetery, Box 640, Sturgis SD.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on or before June 28, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1483-1 to Appropriate Water

Notice is given that Black Hills National Cemetery, Box 640, Sturgis SD 57785-0640 has filed an application for a water permit to appropriate 0.52 cubic feet of water per second from one well (Minnelusa and Madison Formations) 1456 feet deep to irrigate 37 acres. The well is located in the NW 1/4 NE 1/4 of Section 26-T5N-R5E. The land to be irrigated is located in the NE 1/4 of Section 26-T5N-R5E. This application, if approved, will also provide 100,000 gallons per year for institutional purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1483-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in the Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on July 25, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 13, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 13, 1990.

This application is made pursuant to 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, 46-5-30.4, 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.



AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF MEADE

Sharon Allison, being duly sworn, says: That the Meade County Times-Tribune is and, during all the hereinafter mentioned, was a weekly legal newspaper as defined in SDCL 1 as amended published at Sturgis, Meade County, South Dakota, by A Publishing that affiant is and, during all of said times, was an emp of the publisher of such newspaper and has personal knowledge of the stated in this affidavit; that the notice, order or advertisement, a printed of which is attached, was published in said newspaper for successive is bearing the following dates:

<u>June 27</u>	<u>1990</u>	<u>July 4 1990</u>	<u>199</u>
<u> </u>	<u>199</u>	<u> </u>	<u>199</u>
<u> </u>	<u>199</u>	<u> </u>	<u>199</u>
<u> </u>	<u>199</u>	<u> </u>	<u>199</u>
<u> </u>	<u>199</u>	<u> </u>	<u>199</u>

that the full amount of the fee charged for publishing the same, to-wit sum of \$ 4439, inures solely to the benefit of the publ of said newspaper; that no agreement or understanding for the division the fee has been made with any person, and that no part of the fee has agreed to be paid to any other person.

Sharon Allison

Billing Clerk

Subscribed and sworn to before me this

7 day of July, 1990
Sharon Allison
Notary Public, South Dakota

Application filed for water permit

South Dakota
Department of Water
& Natural Resources
Joe Foss Building
523 East Capitol
Pierre, S.D. 57501

NOTICE OF HEARING ON APPLICATION NO. 1483-1 TO APPROPRIATE WATER

Notice is given that Black Hills National Cemetery, Box 640, Sturgis, SD 57785-0640 has filed an application for a water permit to appropriate 0.52 cubic feet of water per second from one well (Minnelusa and Madison Formations) 1456 feet deep to irrigate 37 acres. The well is located in the NW1/4 NE1/4 of Section 26-T5N-R5E. The land to be irrigated is located in the NE1/4 of Section 26-T5N-R5E. This application, if approved, will also provide 100,000 gallons per year for institutional purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1483-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD on July 25, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 13, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605-773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary

proceeding and parties have

the right to be heard and to

present evidence and argument. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 13, 1990.

This application is made pursuant to 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, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-5, 46-6-5.1, 46-6-5.2, and 46-6-5.3.

Rules ARSD 74:02:01:01 thru 74:02:01:15.

Publ. June 27 & July 4, 1990

Amesbury, Maine



Department of Water & Natural Resources

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

SEP 13 1990

1483-1

Daniel L. Nelson
Black Hills National Cemetary
Box 640
Sturgis SD 57785-0640

Dear Mr. Nelson:

Enclosed is Water Permit No. 1483-1 as approved by the Water Management Board authorizing construction of the water system and the application of water 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 cursive script, appearing to read "John Hatch".

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

enclosures



1483-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 14, 2004

NOTICE

TO: BLACK HILLS NAT'L CEMETARY, ROBERT E POE, DIRECTOR, 20901 PLEASANT VALLEY DR, STURGIS, SD 57785 8947

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1483-1, 1484-1 & 1635-1. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1483-1, 1484-1 & 1635-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1483-1, 1484-1 & 1635-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is(are) received in this office on/or before **February 27, 2004**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



1483-1
**DEPARTMENT of ENVIRONMENT
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January 27, 2004

1483-1
1484-1
1635-1

Doug Voorhees
Black Hills National Cemetery
20901 Pleasant Valley Dr
Sturgis SD 57785

Dear Mr. Voorhees:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1483-1, 1484-1 and 1635-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

1483-1



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JAN 13 2010

1483-1
1484-1
1635-1

Terry Corkins,
Black Hills National Cemetery
20901 Pleasant Valley Rd
Sturgis SD 57785

Dear Mr. Corkins:

Enclosed is Water License No. 1635-1. This is the final water right document completing your process of obtaining a Water Right. The applicable portions of Vested Water Right No. 1484-1 and Water Permit No. 1483-1 were incorporated into the water license. A map prepared by the staff engineer who conducted the field investigation and your Receipt No. 03655 in the amount of \$50.00 are also enclosed.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 1635-1, 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Garland Erbele".

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures