

Considered: _____

WATER PERMIT NO. 1498-1

Phone: 343-6355

Name of Applicant Girl Scouts of America

Post Office Address 140 North St., Rapid City, SD 57701

Amount of Water Claimed 8.5 acre feet Total Acres NA

Source of Water Supply North Box Elder Creek

Water to be used for Recreational County Lawrence

About 10.5 miles SE of Lead

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received August 23, 1990 Fee \$150 Remarks returned

application for correct fee on 9/24/90

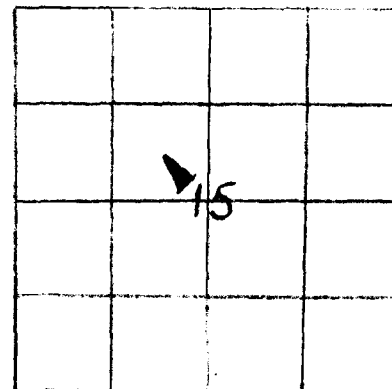
Corrected Application Received 9/6/90 Period of Annual Use Jan. 1 - Dec. 31

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

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

Diversion Point SE1/4 NW1/4 Section 15 T3N-R4E

Land to be Irrigated _____



Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map Topo-plan PREPARED BY Tom Verhelst Reviewed and the Number

Assigned on 9/11/90 By Eric Gronlund

**SOUTH DAKOTA
WATER PERMIT No. 1498-1**

Date of first receipt of application August 23, 1990.

Date of return to applicant for corrections, amendments or changes
August 24, 1990.

Date of receipt of corrected application September 6, 1990.

The Water Management Board approved Water Permit Application No. 1498-1 on February 27, 1991 for Girl Scouts of America, 140 North St., Rapid City, SD 57701 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. 1498-1 authorizes impoundment of 8.5 acre-feet of water by constructing a dam on North Box Elder Creek. The damsite is to be located in the SE1/4 NW1/4 Section 15-T3N-R4E.
2. The water appropriated shall be used for the purpose of providing a pond to be used by Girl Scouts attending summer camp and may not exceed the amount of water needed for beneficial use for recreational purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is August 23, 1990.
5. One-fifth of the construction is to be completed on or before August 27, 1993.
6. All construction is to be completed on or before February 27, 1996.
7. Water is to be put to beneficial use on or before February 27, 2000.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Approval of Permit No. 1498-1 is subject to installation of a valved low flow by-pass pipe through the bottom of the dam to allow inflows to the dam to be by-passed during periods of low flows to maintain instream flows for downstream trout fishery purposes, domestic use and prior water rights.
2. Approval of Permit No. 1498-1 authorizes only one fill annually unless downstream flows are sufficient to meet downstream requirements.

WATER MANAGEMENT BOARD

By: _____

John Hatels
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

APR 25 1991

(date)

523 E. Capitol
Pierre, SD 57501
(605) 773-3352

No. 1498-1 Hydrologic Unit 10120111
Map No. _____ Basin Upper Cheyenne
Newspaper Lawrence Co. Centennial, Box 512

Deadwood, SD 57732

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 Girl Scouts of America Phone No. 343-6355Post Office Address 140 North St. Rapid City State /S.D. 57701
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) ~~4.0~~ 8.5 acre-feet3. Source of water supply North Boxelder Creek4. Location of point of diversion 121.2 rods east and 168.5 rods north of the southwest
corner of Section 15, T3N - R3E SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15 T3N-R4E_____ County Lawrence5. Counties where water will be used Lawrence6. Annual period during which water is to be used Year round January 1 - December 31

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)

Planned project is to build a small dam on North Boxelder Creek to
impound water for fishing, canoeing, and swimming. This pond will
be used by Girl Scouts attending summer camp.

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 Pennington ss

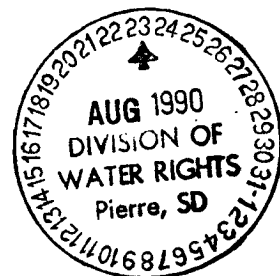
I, J. DAVID MILLER EXECUTIVE DIRECTOR the applicant, certify that I have read
this application, have examined the attached map and that the matters stated are true and that I intend, and am able to
complete the necessary construction.

Signed J. David MillerSubscribed and sworn to before me this 15th day of August 19 90

Barbara L. Caddell
Notary Public

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ 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 _____ 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

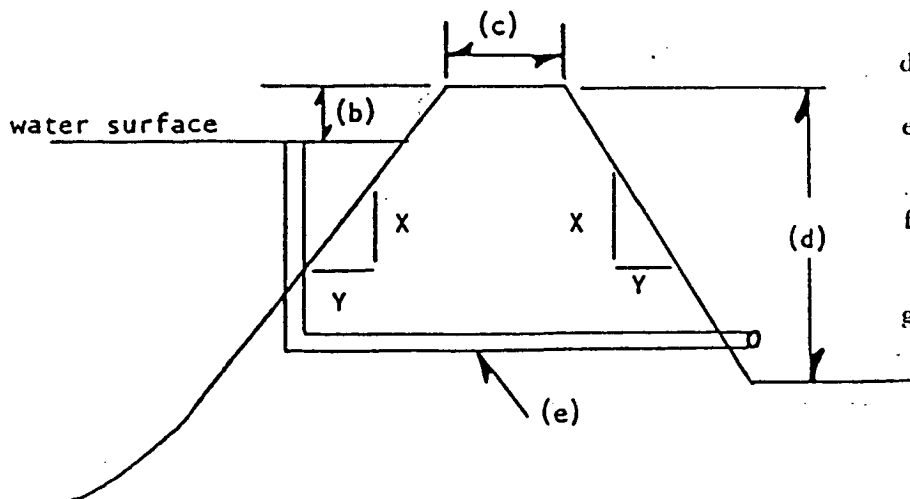
If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

Soil Conservation Service

HCR 30 - Box 34

Belle Fourche, South Dakota 57717



- b) Freeboard _____ 5'
- c) Crest Width _____ 12'
- Crest Length _____ 318'
- d) Height _____ 13'
- e) Primary Outlet Capacity 64 cfs
If Pipe, diameter 24"
- f) Secondary Spillway Capacity 370 cfs
Spillway width 75 feet
- g) X & Y Slope
Upstream 3:1 SS
Downstream 3:1 SS

Surface Area of Impoundment 1.42 Acres

Storage 8.5 acre feet

Drainage area above dam 4436 Acres

Signature of Applicant _____

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412352

Pierre, September 6, 1990, 19 90

RECEIVED OF Black Hills Girl Scout Council, Inc, Box 1846, Rapid City, SD 57702

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

Fee for Application for Permit No. <u>1498-1</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 Walter Jindra
Chief Engineer

TO John Hatch
Water Rights Division, DWR
Joe Foss Building
Pierre, S.D. 57501

FROM

BLACK HILLS GIRL SCOUT COUNCIL, INC.
140 North Street
P.O. Box 1846
RAPID CITY, SOUTH DAKOTA 57709
(605) 343-6355

SUBJECT

Water Permit - Girl Scout Camp

DATE

8-16-80

MESSAGE

- dear John

Please find enclosed our application for a lake permit.
at our camp. John Loucks said if this was sent to you,
you would do your best to help us obtain the permit.
we are hoping to do the work yet this fall.

We thank you for your efforts.

J. Lawrence Miller C.D.

ORIGINATOR-DO NOT WRITE BELOW THIS LINE

REPLY TO

SIGNED

REPLY

DATE

SIGNED

SEND PARTS 1 AND 3 INTACT-PART 1 WILL BE RETURNED WITH REPLY

RETURN TO ORIGINATOR



Report on Water Permit Application No. 1498-1
Girl Scouts of America
October 15, 1990

Application No. 1498-1, Girl Scouts of America, proposes to impound 8.5 acre-feet of water (ac-ft) by constructing a dam. The dam site is to be located in the SE1/4 NW1/4 Section 15-T3N-R4E on North Box Elder Creek in Lawrence County. The water which is proposed to be stored annually is for non-consumptive use for recreational purposes by the Girl Scout's summer camp. The water to be stored will be used for fishing, canoeing, and swimming.

Water Source

The water source for the proposed project is from surface runoff and from springs which flow into North Box Elder Creek. North Box Elder Creek drains a watershed of approximately 4400 acres above the proposed dam site. The majority of the annual flows in the creek are from surface runoff which generally occur in a two to three month time span in late spring and early summer. One inch of runoff from the watershed will produce 367 acre-feet of water. When surface runoff is not occurring, flows in the creek are from springs.

Records from a USGS gaging station located approximately 9 miles downstream of this proposed dam site indicate the median of mean yearly discharge from Box Elder Creek is 15 cubic feet of water per second (cfs), 10,900 acre-feet per year with 23 years of record. This gaging station is below the confluence of North, Middle, and South Box Elder Creeks and Corral Creek.

Approximately 16 miles downstream of the proposed dam site, the creek begins to flow over the Pahasapa (Madison) Limestone. Except during periods of high flow, Box Elder Creek loses almost all of its flow to the Pahasapa and deposits of alluvium overlying the Pahasapa.

Review of Existing Water Rights

There are two existing water rights which divert from Box Elder Creek. The nearest is Water Right No. 961-2, Louis M. Merchen, located approximately 15 miles downstream from the proposed diversion point. The last irrigation reported under this water right was in 1983 when the system was reportedly used for 15 days. The second water permit is located approximately 40 miles downstream, beyond the point where the stream flow is lost to the Pahasapa Limestone, interference would not be expected.

Two water permit applications for consumptive use of water from Box Elder Creek have been considered by the Water Management Board and denied since July of 1989. The primary reason being that the preservation of Black Hills streams for recreational, environmental, and esthetic value is of high significance in public interest terms. Also there was concern that these appropriations of water would disrupt domestic use from Box Elder Creek.

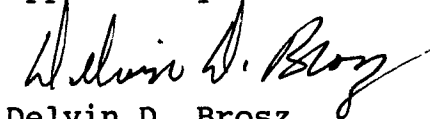
Conclusions

1. The water to be stored as proposed by the application would be non-consumptive and used for fishing, canoeing, and swimming.
2. The watershed above the proposed dam is large enough to provide more than the necessary runoff to fill the dam.
3. Two water permit applications for consumptive use of water from Box Elder Creek have been denied since July 1989. The Water Management Board concluded that these appropriations would not be in the public interest and would disrupt domestic use.
4. If this application is approved it should include the qualification that the dam is limited to one fill per year, and additional inflows must be bypassed for downstream domestic use and prior water rights.



Mark D. Rath
Natural Resources Engineer II

Approved by:



Delvin D. Brosz
Natural Resources Engineer IV

References

1. U.S. Geological Survey. 1988. Water Resources Data South Dakota Water Year 1988. U.S. Geological Survey Water-Data Report SD-88-1.
2. South Dakota Department of Water and Natural Resources. Water Rights Division Files.

Revised Report On Water Permit Application No. 1498-1
Girl Scouts of America
February 25, 1991

Application No. 1498-1, Girl Scouts of America, proposes to impound 8.5 acre-feet of water (ac-ft) by constructing a dam. The dam site is to be located in the SE1/4 NW1/4 Section 15-T3N-R4E on North Box Elder Creek in Lawrence County. The water which is proposed to be stored annually is for non-consumptive use for recreational purposes by the Girl Scout's summer camp. The water to be stored will be used for fishing, canoeing, and swimming.

Water Source

The water source for the proposed project is from surface runoff and from springs which flow into North Box Elder Creek. North Box Elder Creek drains a watershed of approximately 4400 acres above the proposed dam site. The majority of the annual flows in the creek are from surface runoff which generally occur in a two to three month time span in late spring and early summer. One inch of runoff from the watershed will produce 367 acre-feet of water. When surface runoff is not occurring, flows in the creek are from springs.

Records from a USGS gaging station located approximately 9 miles downstream of this proposed dam site indicate the median of mean yearly discharge from Box Elder Creek is 15 cubic feet of water per second (cfs), 10,900 acre-feet per year with 23 years of record. This gaging station is below the confluence of North, Middle, and South Box Elder Creeks and Corral Creek.

Approximately 16 miles downstream of the proposed dam site, the creek begins to flow over the Pahasapa (Madison) Limestone. Except during periods of high flow, Box Elder Creek loses almost all of its flow to the Pahasapa and deposits of alluvium overlying the Pahasapa.

Review of Existing Water Rights

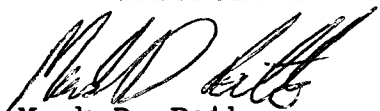
There are three existing water rights which divert from Box Elder Creek in the immediate vicinity. The nearest is Water Right No. 961-2, Louis M. Merchen, located approximately 15 miles downstream from the proposed diversion point. The last irrigation reported under this water right was in 1983 when the system was reportedly used for 15 days. The other two water permits are located approximately 40 miles downstream, beyond the point where the stream flow is lost to the Pahasapa Limestone, interference would not be expected.

There have been two water permit applications for consumptive use of water from Box Elder Creek which the Water Management Board has considered and denied since July of 1989. The primary reasons being that the preservation of Black Hills streams for

recreational, environmental, and esthetic value is of high significance in public interest terms. Also the belief was that these appropriations of water would disrupt domestic use from Box Elder Creek.

Conclusions

1. The water to be stored as proposed by the application would be non-consumptive and used for fishing, canoeing, and swimming.
2. The watershed above the propose dam is large enough to provide more than the necessary runoff to fill the dam.
3. Two water permit applications for consumptive use of water from Box Elder Creek have been denied since July 1989. The Water Management Board concluded that these appropriations would not be in the public interest and would disrupt domestic use.
4. If this application is approved it should include the qualification that the dam is limited to one fill per year, and additional inflows must be bypassed for downstream domestic use and prior water rights.



Mark D. Rath
Natural Resources Engineer II

Approved by:



Delvin D. Brosz
Natural Resources Engineer IV

References

1. U.S. Geological Survey. 1988. Water Resources Data South Dakota Water Year 1988. U.S. Geological Survey Water-Data Report SD-88-1.
2. South Dakota Department of Water and Natural Resources. Water Rights Division Files.

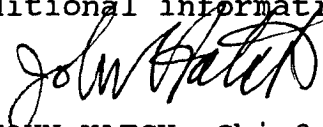
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1498-1, Girl Scouts of America

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. 1498-1, Girl Scouts of America, 140 North Street, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 1498-1 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:

1. Approval of Permit No. 1498-1 is subject to installation of a valved low flow by-pass pipe through the bottom of the dam to allow inflows to the dam to be by-passed during periods of low flows to maintain instream flows for downstream trout fishery purposes, domestic use and prior water rights.
2. Approval of Permit No. 1498-1 authorizes only one fill annually unless downstream flows are sufficient to meet downstream requirements.

See report on application for additional information.


JOHN HATCH, Chief Engineer
October 24, 1990

Conversation or File Documentation

NAME OF PERSON OR FILE: Girl Scouts of AmericaADDRESS: _____ COUNTY LawrenceDATE: 343-6355 (8/23/90) TELEPHONE →

RE: _____

COMMENTS:

Call Girl Scouts of America and talked with Susan Jones. Explained to her that this permit application proposes to utilize water from an appropriated stream. ~~this~~ For this season, the permit may be subject to opposition and possibly a denial recommendation from the chief engineer. This would not come before the board until Dec. mtg. Also told her the permit filing fee would be \$150⁰⁰

Also tried to get clarification of amount of water claimed. She directed me to call Tom Verhelst 343-6355.

Called Mr. Verhelst ³⁰²⁻²⁷⁸² and he said amount of water claimed 8.5 ac-ft

He also stated the plans include a 8" low flow bypass at the elevation of the stream bed - 90'.

8/28/90 Called Tom Verhelst again - he confirmed that proposed dam was in the Sect. 15 T3N-R4E not in R3E.

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 Thornlund



Department of Water & Natural Resources

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

August 24, 1990

J. David Miller, Executive Director
Girl Scouts of America
140 North St.
Rapid City, SD 57701

Dear Mr. Miller:

This letter is in regards to the water permit application received by this office on August 23, 1990. The application filing fee for impounding 8.5 acre-feet is \$150. Enclosed is the check for \$50 which you enclosed with your application. Please remit the correct application filing fee.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Water Rights Division
605 773-3352

enc.



PAID AUG 31 1990

RECEIVED

AUG 24 1990

PAID
GRL SCOT



Department of Water & Natural Resources

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

October 26, 1990

Arthur Tonklyn
HCR 73, Box 2117
Deadwood SD 57732

Dear Mr. Tonklyn:

Enclosed is a copy of the Report, Recommendation of the Chief Engineer and the public notice for Water Permit Application No. 1498-1, Girl Scouts of America. This information is being sent to you as representative of persons concerned with permits from Box Elder Creek as designated in the Notice of Entry of Order dated September 25, 1990.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schlaak".

Karen Schlaak
Natural Resources Analyst
Water Rights Division
605 773-3352

enclosures



Department of Water & Natural Resources

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

October 26, 1990

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

J. David Miller, Executive Director
Girl Scouts of America
140 North Street
Rapid City SD 57701

Dear Mr. Miller:

Water Permit Application No. 1498-1 for recreational use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Lawrence Co. Centennial printed at Deadwood SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your 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 application 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

October 26, 1990

Lawrence Co. Centennial
Box 512
Deadwood SD 57732

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 1498-1 to be published twice. Please publish the first notice on or before November 8, 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 Girls Scouts of America, 140 North Street, Rapid City SD 57701.

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 November 8, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1498-1 to Appropriate Water

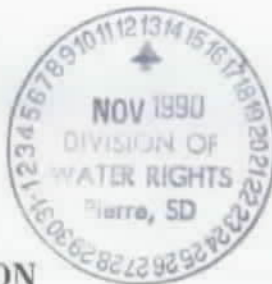
Notice is given that the Girl Scouts of America, 140 North Street, Rapid City SD 57701 has filed an application for a water permit to impound 8.5 acre-feet of water by constructing a dam on North Box Elder Creek. The damsite is to be located in the SE1/4 NW1/4 Section 15 T3N-R4E. Water is to be stored annually for recreational purposes by a Girl Scout summer camp.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1498-1 with qualifications 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 at the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City SD, December 5, 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 November 26, 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 November 26, 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.



AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF LAWRENCE

Sharon Allison, being duly sworn,
says: That the **Lawrence County Centennial** is and, during all the times
hereinafter mentioned, was a weekly legal newspaper as defined in SDCL 17-2-2,
as amended, published at Deadwood, Lawrence County, South Dakota, by
Allison Publishing, Inc.; that affiant is and, during all of said times, was an
employee of the publisher of such newspaper and has personal knowledge
of the facts stated in this affidavit; that the notice, order or advertisement,
a printed copy of which is attached, was published in said newspaper for suc-
cessive issues, bearing the following dates:

<u>OCT 31</u>	199 <u>0</u>	_____	199 _____
<u>Nov 3</u>	199 <u>0</u>	_____	199 _____
_____	199 _____	_____	199 _____
_____	199 _____	_____	199 _____
_____	199 _____	_____	199 _____

that the full amount of the fee charged for publishing the same, to-wit, the
sum of \$ 4351, inures solely to the benefit of the publisher
of said newspaper; that no agreement or understanding for the division of
the fee has been made with any person, and that no part of the fee has been
agreed to be paid to any other person.

Sharon Allison

Subscribed and sworn to before me this

3 day of November, 199 0

Jackie H. H. H.

Notary Public, South Dakota

Water permit application

South Dakota
Department of Water
& Natural Resources
Joe Foss Building
523 East Capitol
Pierre, S.D. 57501-3181
NOTICE OF HEARING
on Application No. 1498-1
To Appropriate Water

Notice is given that the Girl
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Pursuant to SDCL 46-2A-2, the
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qualifications because 1) unap-
propriated water is available, 2)
existing rights will not be unlaw-
fully 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 at the Hilton
Inn, Deerfield Room, 445 Mt.
Rushmore Road, Rapid City, SD,
December 5, 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 quali-
fications, 3) defer or 4) deny this ap-
plication based on the facts pre-
sented at the public hearing.

Any interested person that in-
tends 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 November 26, 1990.
The Chief Engineer's address is
"Water Rights Division, Foss
Building, 523 E Capitol, Pierre, SD
57501 (605-773-3352)". The peti-
tion may be informal, but must include
a statement describing the peti-
tioner's interest in the application,
the petitioner's reasons for oppos-
ing or supporting the application
and the signature and mailing ad-
dress of the petitioner or legal
counsel if legal counsel is obtained.
The applicant need not file a peti-
tion. Contact the Water Rights Di-
vision 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 November 26, 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Publ. Oct. 31 and

Nov. 3, 1990

Lawrence County Centennial



November 13, 1990

Chief Engineer
Water Rights Division
Foss Building
523 E Capitol
Pierre, SD 57501

Dear Sir:

I am respectfully Requesting a delay in the hearing date on Application No. 1498-1 to Appropriate Water, now scheduled for December 5, 1990 at 10:00 a.m. in Rapid City.

I am requesting this delay both as a homeowner on Box Elder Creek and as representative of the Box Elder Creek Association, a citizen watchdog group for users of Box Elder Creek. Extra time is needed by us in order to investigate and gain an understanding of the impact this application may have on domestic, agricultural, recreational and wildlife use of Box Elder.

I would hope this hearing could be rescheduled in Rapid City as I am sure there is enough area interest to warrant it.

Thank you.

Sincerely,

Laura Tonkyn
HCR 73, Box 2120
Deadwood, SD 57732



Department of Water & Natural Resources

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

November 16, 1990

J. David Miller, Executive Director
Girl Scouts of America
140 North St.
Rapid City, SD 57701

Dear Mr. Miller:

Enclosed is a copy of a letter requesting a automatic delay of the hearing for Water Permit Application No. 1498-1 filed by the Girl Scouts of America. I will send you any other petitions that we receive regarding the Girl Scout's application.

A notice will be sent to you after the public comment period has ended formally informing you that the hearing has been automatically delayed. If at anytime you have questions about the hearing process, please feel free to contact me.

Sincerely,

Eric Gronlund
Water Rights Division
605 773-3352

enclosure



November 20, 1990

S.D. Dept. of Water and Natural Resources
Attn: Water Rights Division
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181

Re: Girl Scout Application

Gentlemen:

We wish to advise you that we support the application on the part of the Black Hills Girl Scout Council for the development of a flow-through dam on their property.

We realize that this dam will cover approximately one acre and will contain approximately 8 1/2 acre feet of water. We realize that this lake will be filled from the spring runoff.

We together own 120 acres along Box Elder Creek flowing southeast of Nemo, and we urge you to approve this application.

Thank you for your consideration.

Sincerely yours,

Tom Flack
4733 Capitol St.
Rapid City, SD 57702
342-1111

Chuck Hoffman
1231 St. Andrew St.
Rapid City, SD 57701
342-8184

**South Dakota
Department of
Game, Fish and Parks**

Division of Wildlife
Sigurd Anderson Building
445 East Capitol
Pierre, South Dakota 57501-3185
(605) 773-3381

November 21, 1990



Mr. John Hatch, Chief Engineer
Division of Water Rights
S.D. Department of Water & Natural Resources
Foss Building
Pierre, SD 57501

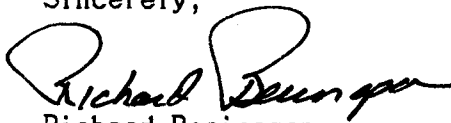
Dear Mr. Hatch:

The South Dakota Department of Game, Fish and Parks has reviewed water permit application 1498-1 by the Girl Scouts of America for 8.5 acre feet of water from North Box Elder Creek for recreational purposes.

GF&P is an interested and potentially affected party by virtue of statutory authority to manage fish and wildlife resources of the state (SDCL Chapter 41). The pending water permit request could adversely affect the quantity of water available for public use and natural resource management.

Thank you for the opportunity to comment on this pending water permit.

Sincerely,


Richard Beringson
Secretary

RB/TJO/ld

cc: Girl Scouts of America



Department of Water & Natural Resources

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

November 26, 1990

J. David Miller, Executive Director
Girl Scouts of America
140 North St.
Rapid City, SD 57701

Dear Mr. Miller:

Enclosed are two additional petitions that have been received regarding Water Permit Application No. 1498-1.

As I stated in our phone conversation, the notice of hearing will have to be republished due to the publication error. I will be sending you and the newspaper instructions in the upcoming week.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Water Rights Division
605 773-3352

enclosure

11/27/90

(date)

page

Parties of Record before Water Management Board on Water Permit
Application No. 1498-1, Girl Scouts of America

Applicant

J. David Miller, Executive Dir.
Girl Scouts of America
140 North St.
Rapid City, SD 57701

Laura Tonkyn
HCR 73, Box 2120
Deadwood, SD 57732
(representing self and Box Elder
Creek Association)

Support

Tom Elack
4733 Capitol St.
Rapid City, SD 57702

Chuck Hoffman
1231 St. Andrew St.
Rapid City, SD 57701

Interested

Richard Beringson, Secretary
Dept. of Game, Fish & Parks
Sigurd Anderson Building
445 East Capitol
Pierre, SD 57501



Department of Water & Natural Resources

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

November 27, 1990

NOTICE

TO: J. David Miller, Executive Director
Girl Scouts of America
140 North Street
Rapid City, SD 57701
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer 
Water Rights Division
605 773-3352

SUBJECT: Water Permit Application No. 1498-1, Girl Scouts of America

The Notice of Hearing for Water Permit Application No. 1498-1 was in error by not being published for two consecutive weeks. Therefore, the hearing on Application No. 1498-1 will not be held at the December 5, 1990 Water Management Board meeting in Rapid City.

Persons who have submitted petitions will be considered a party of record at the future hearing on Water Permit Application No. 1498-1. Future notice will also be given of the meeting time and place of the hearing on Water Permit Application No. 1498-1 to all parties.

Please contact Eric Gronlund, staff engineer (605 773-3352) if you have any questions.

cc: John Haak, Assistant Attorney General

CERTIFICATION

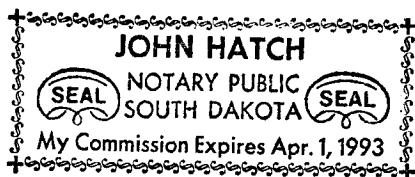
I hereby certify that on November 29, 1990, I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Hearing for Water Permit Application No. 1498-1 addressed as stated on the Notice.

Jaci R. Konop

Jaci R. Konop
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 30th day of November, 1990.



John A. [Signature]
Notary Public



DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 27, 1990

Laura Tonkyn
HCR 73, Box 2120
Deadwood, SD 57732

Re: Notice of Hearing for Girl Scouts of America Water Permit
Application No. 1498-1

Dear Ms. Tonkyn:

Enclosed is a copy of the notice of hearing for Water Permit Application No. 1498-1. The previous notice of hearing was in error in that it was not published for two consecutive weeks. Republication is necessary before a formal hearing may be set.

The special Board meeting for February 7, 1991 as noted in the enclosed notice will be rescheduled for the February 27, 1991 Board meeting after the January 28, 1991 comment period for filing petitions is past.

Your petition from November 13, 1990 on behalf of yourself and the Box Elder Creek Association is still valid and you will be considered a party of record at the future hearing. The hearing before the Water Management Board will be scheduled for February 27, 1991. Formal notice of the meeting time and place will be provided to you in early February.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Eric Gronlund
Water Rights Division
605 773-3352

enclosure



DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 27, 1990

Tim Olson, Permits Coordinator
Dept. Game, Fish & Parks
Joe Foss Building
Pierre, SD 57501

Re: Notice of Hearing for Girl Scouts of America Water Permit
Application No. 1498-1

Dear Tim:

Enclosed is a copy of the notice of hearing for Water Permit Application No. 1498-1. The previous notice of hearing was in error in that it was not published for two consecutive weeks. Republication is necessary before a formal hearing may be set.

The special Board meeting for February 7, 1991 as noted in the enclosed notice will be rescheduled for the February 27, 1991 Board meeting after the January 28, 1991 comment period for filing petitions is past.

The Department of Game, Fish & Park's petition of interest regarding this application received on November 21, 1990 is still valid and you will be considered a party of record at the future hearing. The hearing before the Water Management Board will be scheduled for February 27, 1991. Formal notice of the meeting time and place will be provided to your department in early February.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Water Rights Division
605 773-3352

enclosure

January 9, 1991

MEMO TO: John Hatch, Chief Engineer

FROM: Eric Gronlund

SUBJECT: Status of Water Permit Application No. 1498-1, Girl Scouts of America

The Girl Scouts of America applied for a water permit to construct an 8.5 acre foot dam on North Boxelder Creek last fall. The permit application is now tentatively scheduled to be heard by the Water Management Board on February 27, 1991 at 11:00 am. The chief engineer's recommendation on this application is for APPROVAL with the following qualifications:

1. Approval of Permit No. 1498-1 is subject to installation of a valved low flow by-pass pipe through the bottom of the dam to allow inflows to the dam to be by passed during periods of low flows to maintain instream flows for downstream trout fishery purposed, domestic use and prior water rights.
2. Approval of Permit No. 1498-1 authorizes only one fill annually unless downstream flows are sufficient to meet downstream requirements.

The water permit application was originally scheduled for the December 5, 1990 Water Management Board Meeting. However, due to two totally separate reasons the December 5th meeting was not able to be obtained. First the original notice of hearing was published in error in that it was not published for two consecutive weeks and this invalidated the notice. Secondly, a petition was received from Laura Tonkyn which requested an automatic delay of the hearing as provided in law.

Enclosed is a brief chronology of the water permit application. If you have any questions or need further clarification, please let me know.

Chronology
Water Permit Application No. 1498-1, Girl Scouts of America

- 8/23/90 - Water Permit Application received by this office.
- 9/6/90 - Water Permit Application corrected and complete.
- 10/31/90 - First notice of hearing published in the Lawrence Co. Centennial
- 11/3/90 - Second notice of hearing published in the Lawrence Co. Centennial (**ERROR - notice must be published for two consecutive weeks. Invalidated notice of hearing for the December 5, 1990 Water Management Board meeting**)
- 11/13/90 - Petition from Laura Tonkyn received requesting an automatic delay.
- 11/19/90 - Mr. Miller phoned to inform us that a November 30th meeting was scheduled with the Box Elder Creek Association.
- 11/20/90 - Petition of support received from Tom Flack and Chuck Hoffman.
 - I contacted Mr. Miller over the phone to inform him of the error in the public notice and that we would readvertise for the February 27, 1991 meeting.
- 11/21/90 - Petition of interest received from the G, F & P.
- 11/27/90 - Mr. Miller of the Girl Scouts sent official notice the application would not be heard on December 5, 1990.
- 1/9/91 - First notice of hearing scheduled to be published in the Lawrence Co. Centennial. (used new notice format)
- 1/16/91 - Second notice of hearing to be published.
- 1/28/91 - Date to file a petition. (Parties who previously filed a petition will still be considered parties of record)
- 2/27/91 - Water Management Board meeting, the Girl Scout water permit application is scheduled for 11:00 am in the Meeting Room, Governors Inn, 700 West Sioux Ave, Pierre, SD.



GIRL SCOUTS

Black Hills
Girl Scout Council, Inc.
140 North Street
Rapid City, SD 57701
(605) 343-6355

Mailing Address:
P.O. Box 1846
Rapid City, SD 57709

January 24, 1991

Eric Gronlund
Dept. of Water and Natural Resources
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181

Dear Eric:

This is a follow-up to the meeting that was held on November 30, 1990 with about 40 of the members of the Box Elder Creek Association. We felt we cleared up many of their concerns regarding our request for a water permit; and, generally speaking, we felt almost everyone left feeling satisfied with what we were doing.

There was one thing we agreed to, and that was a measuring device both above and below the lake. Tom VerHelst understands this better and said that he would see that this was done and that it would not be a great expense to the Girl Scouts.

I have also copied you with a letter on a request by the Fire Department from Nemo. We would like to investigate this also, either now or after the lake goes in, as we would be most happy to assist with this.

If there is anything else you need from us before our hearing on February 27th, please do not hesitate to contact us. We appreciate your assistance.

Sincerely yours,

J. David Miller
Executive Director

jdm/ss

cc: Laura Tonkyn
Thomas D. VerHelst
Woody Pelkey



A United Way Agency



GIRL SCOUTS

**Black Hills
Girl Scout Council, Inc.**
140 North Street
Rapid City, SD 57701
(605) 343-6355

Mailing Address:
P.O. Box 1846
Rapid City, SD 57709

January 24, 1991

David Fieroh
Fire Chief
P.O. Box 94
Nemo, SD 57759

Dear Mr. Fieroh:

This is a follow-up to our discussion during our November 30, 1990 meeting with the Box Elder Water Association. We appreciate the support you and all of the individuals showed in support of our dam and water permit.

You made a request for something to be done at the lake which will allow the Nemo Fire Department to withdraw water in a time of fire. As there was a lot of commotion, I am wondering if you would take a moment to write me with specifics regarding this request.

We appreciate your interest in our project and look forward to working with you in the future.

Sincerely yours,

J. David Miller
Executive Director

jdm/ss

cc: ✓ Eric Gronlund, Department of Water and Natural Resources
Woody Pelkey, Chair, Financial Development Advisory Council



DEPARTMENT OF WATER & NATURAL RESOURCES

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

January 30, 1991

NOTICE

TO: J. David Miller, Executive Director
Girl Scouts of America
PO Box 1846
Rapid City, SD 57701
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Water Permit Application No. 1498-1, Girl Scouts of America

The special Water Management Board meeting to consider Water Permit Application No. 1498-1 scheduled for February 7, 1991 has been rescheduled. This application has been rescheduled in order to hear testimony from the applicant and those parties who filed petitions to the application.

The Water Management Board will now consider Application No. 1498-1 on February 27, 1991 at 11:00 am in the Meeting Room, Governor's Inn, 700 West Sioux Ave., Pierre, SD 57501. The agenda time is an estimate and may be delayed due to prior agenda items. Applicable provisions of the Notice of Hearing published January 9 and 16, 1991 in the Lawrence County Centennial will still apply at this hearing.

Please contact Eric Gronlund, staff engineer (605 773-3352) if you have any questions.

cc: John Haak, Assistant Attorney General

CERTIFICATION

I hereby certify that on January 30, 1991 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Hearing on Water Permit Application No. 1498-1, Girl Scouts of American addressed as stated on the attached parties of record sheet.

Marie R. Arthur
Marie R. Arthur
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 4th day of February, 1991.

John Hatch
Notary Public



Eric Gronlund
Dept. of Water and Natural Resources
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181

Received a copy of a letter to you from Dave Miller, executive director of the Girl Scouts, dated 1-24-91 stating that the outcome of our meeting on 11-30-90 was an agreement to put a measuring device both above and below the proposed dam on North Box Elder Creek. Our understanding is that this device would be a weir to measure upstream flow and another to measure downstream flow. We would hope Game, Fish and Parks could view and approve these weirs.

I have spoken with Dave Miller on the telephone, and he has agreed to send me a written assurance that they in fact can repair sink hole damage to the creek bed in the event of such an occurrence.

Sincerely,

Laura Tonkyn
Box Elder Creek Association
HCR 73, Box 2120
Deadwood, SD 57732



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

APR 25 1991

J. David Miller, Executive Director
Girl Scouts of America
140 North Street
Rapid City, SD 57701

Dear Mr. Miller:

Enclosed is Water Permit No. 1498-1 authorizing construction of your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



GIRL SCOUTS

Black Hills
Girl Scout Council, Inc.
140 North Street
Rapid City, SD 57701
(605) 343-6355

Mailing Address:
P.O. Box 1846
Rapid City, SD 57709



June 11, 1991

John Hatch, Chief Engineer
S.D. State Dept. of Water and Natural Resources
Joe Foss Building
523 E. Capitol
Pierre, S.D. 57501-3181

Dear Mr. Hatch:

We are starting to put together material for the special newspaper insert that we are having printed to highlight the Girl Scout program and the partners who help us improve or carry out our program, and we need to set some timetables.

I have previously visited with you regarding this newspaper insert. It is going to be a well-done, highly thought-out piece. We hope to go to the printer sometime around August 15th. The insert will circulate sometime during the first ten days of September, probably either the first or second Sunday in the Rapid City Journal, and then whenever the weekly newspapers wish to put it in. The cost of this production is going to be close to \$10,000.00, which is about one-third of what something like this would normally cost. We are anticipating approximately 80,000-100,000 copies being printed and hope to reach every family in West River South Dakota.

We are asking you to support our Communications Administrator, Susan Sass, in providing her with material regarding your company and assisting her with developing your page in this article. We are using the theme "Our Partnership With (S.D. Dept. of Water and Natural Resources): Together We Change Girls' Lives".

We want this newspaper insert to highlight Girl Scouting and also to highlight a very tastefully done thank you to each of the major corporations who are assisting with our camp renovation and, in some cases, will continue to work with us on Girl Scout program. (An example of this is the State Forestry Division, who is offering on-going program to our girls.)

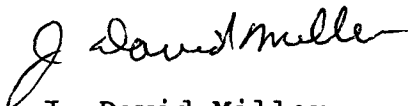


A United Way Agency

Page 2.
John Hatch
June 11, 1991

Please give some thought as to what type of material you would like to use, and Susan will be making her initial contact with you the week of June 24th. If you wish to mail this material immediately, please mail to Susan Sass, P.O. Box 1846, Rapid City, S.D. 57709.

Sincerely yours,



J. David Miller
Executive Director

jdm/ss

cc: Dianne Labor, BHGSC President
Woody Pelkey, Fund Development Chair
Georgia Walker, Assistant Executive Director
Susan Sass, Communications Administrator
Susan Johns, Director of Training/Program
Sandra Hoover, Director, Membership and Marketing (Area I)
Deborah McGregor, Director, Membership and Marketing (Area II)
Lyn Olson, Membership Specialist (Area I)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

July 3, 1991

Susan Sass
Girl Scouts
PO Box 1846
Rapid City SD 57709

Dear Ms. Sass:

This letter is in response to our phone conversation on June 27, 1991, regarding the water permit recently approved for the scout's summer camp. I am providing a brief background on the permitting procedure including some of the environmental issues addressed prior to the application being approved.

In South Dakota, a water permit must be obtained to appropriate water (use public waters) and for any project affecting the stage, level, or flow of public waters. Obtaining a water right establishes a priority date for the water use resulting in senior priority over junior priority dates assigned to any water rights approved in the future. In order for an application to be approved, four criteria must be satisfied: 1) unappropriated water must be available for the proposed use, 2) the proposed project can be developed without unlawful impairment of existing water rights, 3) the proposed water use will be a beneficial use, and 4) the water use must be in the public interest. These four criteria are designed to protect existing beneficial uses of water and to prevent waste or unreasonable uses of water.

On August 23, 1990, Water Permit Application No. 1498-1 was filed by the Girl Scouts of America to impound 8.5 acre-feet of water (2,770,000 gallons) by constructing a dam on North Box Elder Creek. The purpose of the dam is to store water for recreational uses, such as fishing, canoeing, and swimming. After review of the application, the Chief Engineer recommended approval of the application with qualifications designed to protect downstream domestic uses, prior water rights, and trout fisheries.

Approval of Application No. 1498-1 was delayed when a petition was received on behalf of the Box Elder Creek Association. The Association expressed concerns about potential impacts to the creek involving domestic, agricultural, recreational, and wildlife water uses. These concerns were addressed by the recommended permit qualifications and also by a meeting between the Association and the Girl Scout Council. On February 27, 1991, Water Permit No. 1498-1 was approved by the Water Management Board.

July 3, 1991
Susan Sass
Page 2

Cooperation between the Girl Scout Council, the Box Elder Creek Association, the Department of Environment and Natural Resources, and others resulted in approval of the water permit. The permitting procedure allowed the opportunity for affected parties to express environmental concerns and have those concerns addressed prior to construction of the project. This advance communication between parties resulted in development of "good neighbor" relationships. Everyone was a winner.

If you need any additional information, please contact me.

Sincerely,

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

Ron Duvall
Natural Resources Engineer
Water Rights Division
605 773-3352



DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 21, 1991

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

J. David Miller, Executive Director
Girl Scouts of America
140 North Street
Rapid City SD 57701

Dear Mr. Miller:

You are aware that the legal notice of hearing published in the Lawrence Co. Centennial for Water Permit Application No. 1498-1 was not published correct. As a result, the legal notice will need to be readvertised. The readvertisement is needed to ensure that the Water Permit is free from legal problems due to inaccurate and incomplete public notice. The information needed to readvertise the notice is being sent to the Publisher of the Lawrence Co. Centennial printed at Deadwood SD.

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

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

cc: Lawrence Co. Centennial

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



DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 21, 1990

Lawrence Co. Centennial
Box 512
Deadwood SD 57732

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1498-1 to be published twice. Please publish the first notice on January 9, 1991 with the second publication January 16, 1991.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication.

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. No action may be taken on the permit application 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 January 9, 1991 with the second publication January 16, 1991.

NOTICE OF HEARING on Application No. 1498-1 to Appropriate Water

Notice is given that the Girl Scouts of America, 140 North St., Rapid City SD 57701 has filed an application for a water permit to impound 8.5 acre-feet of water by constructing a dam on North Box Elder Creek. The damsite is to be located in the SE 1/4 NW 1/4 Section 15-T3N-R4E. Water is to be stored annually for recreational purposes by a Girl Scout summer camp.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1498-1 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 28, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 1498-1 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for February 7, 1991, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the February 7, 1991 hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The February 7, 1991 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by January 28, 1991.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.



Water hearing

SD Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF LAWRENCE

Sharon Allison

, being duly sworn, says: That the **Lawrence County Centennial** is and, during all the time hereinafter mentioned, was a weekly legal newspaper as defined in SDCL 17-17 as amended, published at Deadwood, Lawrence County, South Dakota by Allison Publishing, Inc.; that affiant is and, during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement in printed copy of which is attached, was published in said newspaper for successive issues, bearing the following dates:

<u>January 9</u>	<u>1991</u>	<u>1991</u>
<u>January 16</u>	<u>1991</u>	<u>1991</u>
<u>1991</u>	<u>1991</u>	<u>1991</u>
<u>1991</u>	<u>1991</u>	<u>1991</u>
<u>1991</u>	<u>1991</u>	<u>1991</u>

that the full amount of the fee charged for publishing the same, to-wit: sum of \$ 57.71, inures solely to the benefit of the publisher of said newspaper; that no agreement or understanding for the division of the fee has been made with any person, and that no part of the fee has been agreed to be paid to any other person.

Sharon Allison

Billing Clerk

Subscribed and sworn to before me this

16 day of January, 1991

Jacqueline Allison

Notary Public, South Dakota

NOTICE OF HEARING on Application No. 1498-1 to Appropriate Water

Notice is given that the Girl Scouts of America, 140 North St., Rapid City SD 57701 has filed an application for a water permit to impound 8.5 acre-feet of water by constructing a dam on North Box Elder Creek. The damsite is to be located in the SE 1/4 NW 1/4 Section 15-T3N-R4E. Water is to be stored annually for recreational purposes by a Girl Scout summer camp.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1498-1 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 28, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 1498-1 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for February 7, 1991, at 9:00 am in Room 413, Joe Foss building, 523 E Capitol, Pierre SD. If this application is opposed or the rec-

ommendation is contested, the February 7, 1991 hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and the persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. the February 7, 1991 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by January 28, 1991.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application, or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Publ. Jan. 9, 16, 1991
Lawrence County Centennial



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 14, 1995

1498-1

David Miller
Executive Director
Girl Scouts of America
140 North Street
Rapid City, SD 57701

Dear Mr. Miller:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 1498-1, 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

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

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 15, 1996

SECOND NOTICE
Permit No. 1498-1

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

David Miller
Executive Director
Girl Scouts of America
140 North Street
Rapid City, SD 57701

Dear Mr. Miller:

On November 14, 1995, you were notified the final inspection fee of \$50.00 is due before Water License No. 1498-1 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

According to South Dakota Water Law 46-5-30.1, you may not divert water until the License fee is paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

1498-1

David Miller
Executive Director
Girl Scouts of America
140 North Street
Rapid City, SD 57701

4a. Article Number

P 378-080 526

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

2-16-96

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

RECEIPT

Division of Water Rights

414879

South Dakota Department of Environment and Natural Resources

Pierre, _____ April 1, 19 96

RECEIVED OF Girl Scouts of the Black Hills Council, Inc., P.O.Box 1846, Rapid City, SD 57709
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct 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>1498-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch 
Chief Engineer

Permit No.1498-1
Upper Cheyenne- Water District

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

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

I have this day, 9/13/1995, made a thorough examination of the water use system owned by the Girl Scouts of America of 140 North Street, Rapid City, SD 57701, holder of Permit No. 1498-1, bearing the priority of August 23, 1990, authorizing the storage of 8.5 acre-feet of the waters of Boxelder Creek for recreational purposes, in Lawrence County.

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

A storage dam, with a capacity of 8.5 acre feet.

The system is in the following condition Good. The point of diversion is located about 1990 feet east, 2700 feet north from the southwest corner of Section 15, T3N-R4E (SE1/4 NW1/4). The works are capable of storing 8.5 acre-feet of water which is used for recreational puposes. The license should be issued for 8.5 acre feet of storage.

Applicable permit qualifications have been complied with: Yes **X** No

Exceptions to compliance are: **None** Date Report Completed: **10/20/1995**



M. Rassool Ahadi
Natural Resources Engineer
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 1498-1

DATE OF INSPECTION: 9/13/1995

PO Box 1846

NAME & ADDRESS OF PERMIT HOLDER: Girl Scouts of America, 140 North Street, Rapid City, SD 57701

DIVERSION POINT LEGAL LOCATION: SE1/4 NW1/4 Section 15, T3N-R4E

DAM INFORMATION:

- 1) Height to crest **14** feet
- 2) Height to primary spillway **10** feet
- 3) Height to secondary spillway **12** ft
- 4) Crest width **12** feet
- 5) Crest length **320** feet
- 6) Secondary spillway length **150** feet
- 7) Secondary spillway width **75** feet
- 8) Approx. storage **8.5** ac-ft
- 9) Approx. storage to crest ac-ft
- 10) Date constructed: **1991**

OUTLET TUBES:

- 1) Diameter **3 ftX3 ft changes to 24 inches**
- 2) Type **Concrete-PVC**
- 3) Valved **N**
- 4) Valve type
- 5) Location on structure
NE corner
- 6) Category of dam **III** (I,II,III)
- 7) Inspection sheet completed **N** (Y/N)
- 8) Name of contractor **Unknown**

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit **NA**
- 2) Special qualifications to permit being abided by **Y**
- 3) The structure on map **Y**
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **NA**

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1498-1

(1) The Girl Scouts of America of PO Box 1846, Rapid City, SD 57709 made Application No. 1498-1, August 23, 1990 for a water permit to impound 8.5 acre feet of water by constructing a dam on North Box Elder Creek, Lawrence County, South Dakota for recreational purposes. Permit No. 1498-1, with a priority date of August 23, 1990 was approved February 27, 1991 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before February 27, 1996 and for the application to beneficial use of said water on or before February 27, 2000.

(2) It is certified that the applicants have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and are entitled to impound *8.5 acre feet of water for beneficial use. The location of the storage dam is 1990 feet east and 2700 feet north of the SW corner of Section 15, T3N, R4E (SE 1/4 NW 1/4).

*No. 1498-1 authorizes one fill annually unless downstream flows are sufficient to meet downstream requirements.

(3) The applicants have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the Girl Scouts of America of PO Box 1846, Rapid City, SD 57709 the holders and/or owners of Water Permit No. 1498-1 are issued a license to appropriate water, the right to impound 8.5 acre feet of water in a storage dam on North Box Elder Creek with a priority date of August 23, 1990 from the location specified in (2) of this license for the purpose of recreational use. This license is subject to any limitations or qualifications listed in Water Permit No. 1498-1 and subject to South Dakota State Law.



John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 14 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 21, 1996

MEMO TO: Governor Janklow

FROM: Nettie H. Myers

SUBJECT: Letter from Camille Levee, Girl Scout Executive Director

In the attached letter dated December 18, 1995, Camille Levee has questioned a water right license investigation conducted five years after project completion.

Following is the background:

The Girl Scout Council holds a water right permit authorizing a small recreation use dam on North Box Elder Creek at a Black Hills summer camp. The water right permit for this dam was contested by the Box Elder Creek Association. However, cooperation between the Girl Scouts, Box Elder Creek Association, Game, Fish and Parks and DENR led to the Water Management Board's approval of this contested application on February 27, 1991.

To answer your question, the Water Rights Program does have a backlog of water right licensing investigations to conduct. However, in this case, DENR conducted the investigation of the Girl Scout's water right permit ahead of schedule. Let me explain.

Any water right permit by law has five years to complete construction of the project. Upon completion of a project, a notice of completion may be filed with DENR at which time an investigation is scheduled. However, the Girl Scout Council never filed a notice of completion of the dam with DENR. Therefore, DENR did not inspect it until near the end of the five year construction period.

Let me know if you want a response drafted for your signature to Camille. Thanks.

Attachment



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 14 1996

1498-1

Camille Levee, Executive Director
Girl Scouts of America
PO Box 1846
Rapid City, SD 57709

Dear Ms. Camille:

Enclosed is your Water License No. 1498-1. The water license is the final document which completes the process of obtaining a water right. Also enclosed is Receipt No. 414879 for \$50.00 which you paid for the investigation and issuance of the license.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to the use of the water.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352

gm
enclosures



1498-1

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 20, 2004

1362-1
1498-1

Larry Grone
927 Jonas Blvd
Spearfish SD 57783

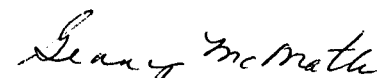
Dear Mr. Grone:

Eric Gronlund with our program recently visited with you about Water Right Nos. 1362-1 and 1498-1. Enclosed are copies of the water rights for your records.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please review the forms and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact us.

Sincerely,


Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

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

FEB 25 2004

WATER RIGHTS
PROGRAM

No. 1498-1

Date: 2-20-04

I/We request that Water Right No. 1498-1

formerly owned by: The Girl Scouts of America

be transferred to: (name & address) Kinship Mountain Ministries

12145 Paha Sapa Rd, Deadwood, SD 57732

Mailing Address: P.O. Box 277, Deadwood, SD 57732 Telephone No. 605-578-9732
or 605-578-9965

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

storage dam located: SE ¼ NW ¼ Section 15, T3N, R4E

I/We understand that the validity of Water Right No. 1498-1 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 permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Kinship Mountain Ministries, the new owner, certify that the above information is true and correct.

David Winter

(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 25, 2004

RECEIVED OF Larry E Grone, 927 Jonas Blvd., Spearfish SD 57783

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2 50	
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 <u>1498-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

001204

By

Darland Ebele
Chief Engineer



1498-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 25, 2004

1362-1
1498-1

David Winter
Kinship Mountain Ministries
PO Box 277
Deadwood SD 57732

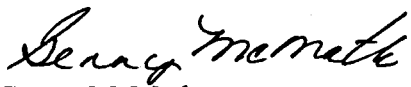
Dear Mr. Winter:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms and filing fees for changing ownership on Water Right Nos. 1362-1 and 1498-1. The transfers have been completed.

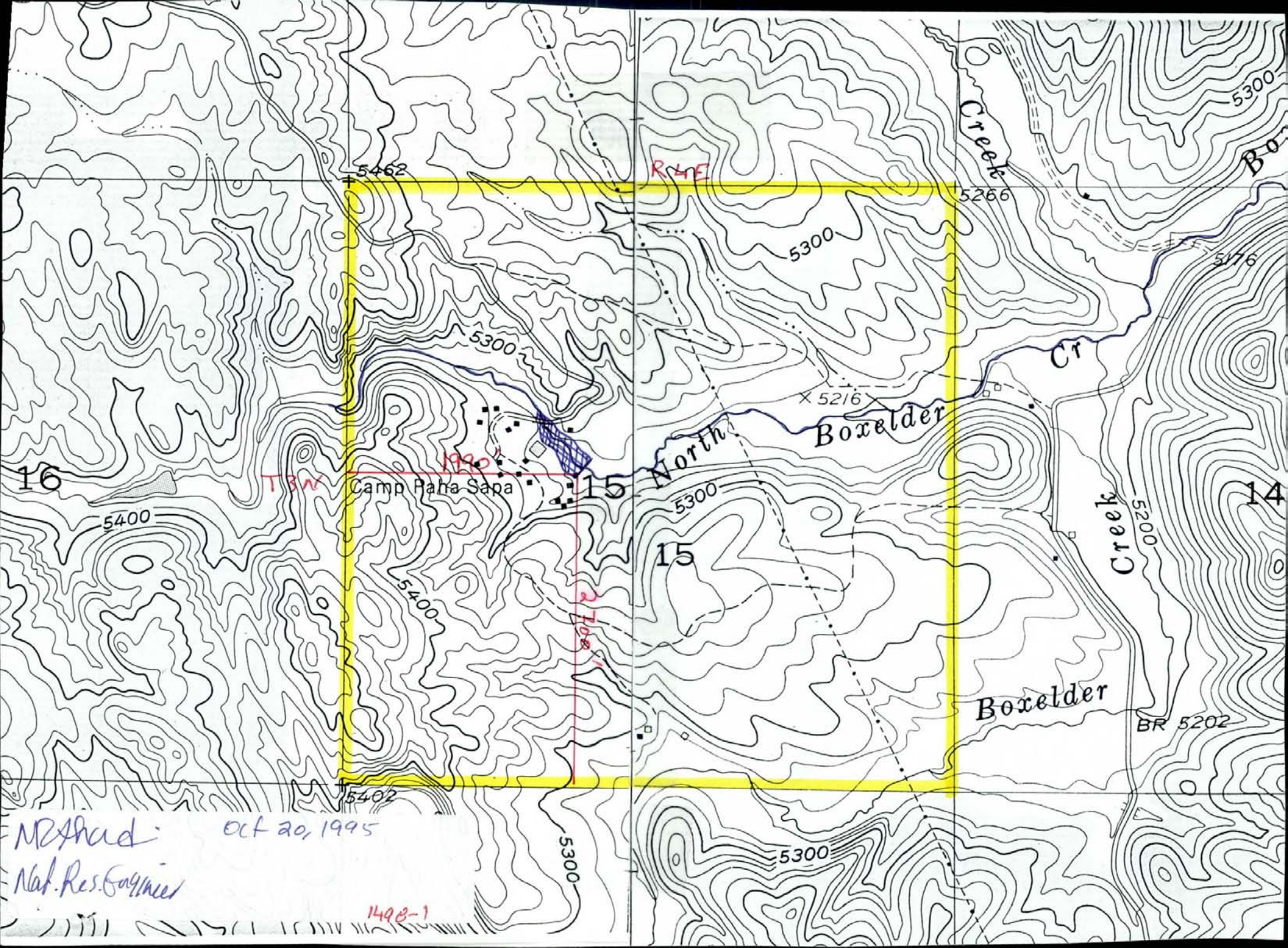
The water rights formerly listed in the name of the "Black Hills Girl Scout Council" and the "Girl Scouts of America" are now listed in the name of Kinship Mountain Ministries.

Receipt Nos. 001203 and 001204 in the amounts of \$2.50 each are being forwarded by copy of this letter to Larry Grone in Spearfish. If I can answer any questions for you, please contact me.

Sincerely,


Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

cc: Larry Grone w/Receipts



16

15

14

Camp Raha Sapa

North

Borelder

Creek

Borelder

BR 5202

NRHud
Nat. Res. Engineer

Oct 20, 1995

1498-1

BLACK HILLS NATIONAL FOREST
GIRL SCOUTS' PROPERTY

PERMANENT POOL - EL 95.0

DUGOUT - EL 80.0

EMERGENCY SPILLWAY - EL 90.0

PRINCIPAL SPILLWAY - INLET EL 95.0
24" DIA - PVC PIPE W/ CONCRETE DRAP INLET

PLAN VIEW
SCALE: 1" = 100'



LOCATION MAP SCALE: 1" = 2000'

NOTE: 1) EXISTING CREEK BOTTOM AT PROPOSED FILL IS EL 89.0
DUGOUT IS NEEDED TO SUSTAIN FISH HABITAT.
2) DRAW DOWN TUBE REQUIRED TO SERVICE ANY PRIOR WATERRIGHTS IF NEEDED.
3) MAP PREPARED BY: THOMAS D. VERHELST
AG-ENGINEER, SCS
BELLE FOURCHE, SD
Thomas D. Verhelst

DAM
GIRL SCOUT CAMP
SEC 15, T3N-R3E LAWRENCE CO.

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Tom VerHelst	Date	8/90
Drawn	Tom VerHelst	Title	
Traced		Sheet	8/90
Checked		No.	
		Drawing No.	
		of	

BLACK HILLS NATIONAL FOREST
GIRL SCOUTS PROPERTY

PERMANENT POOL - EL 950

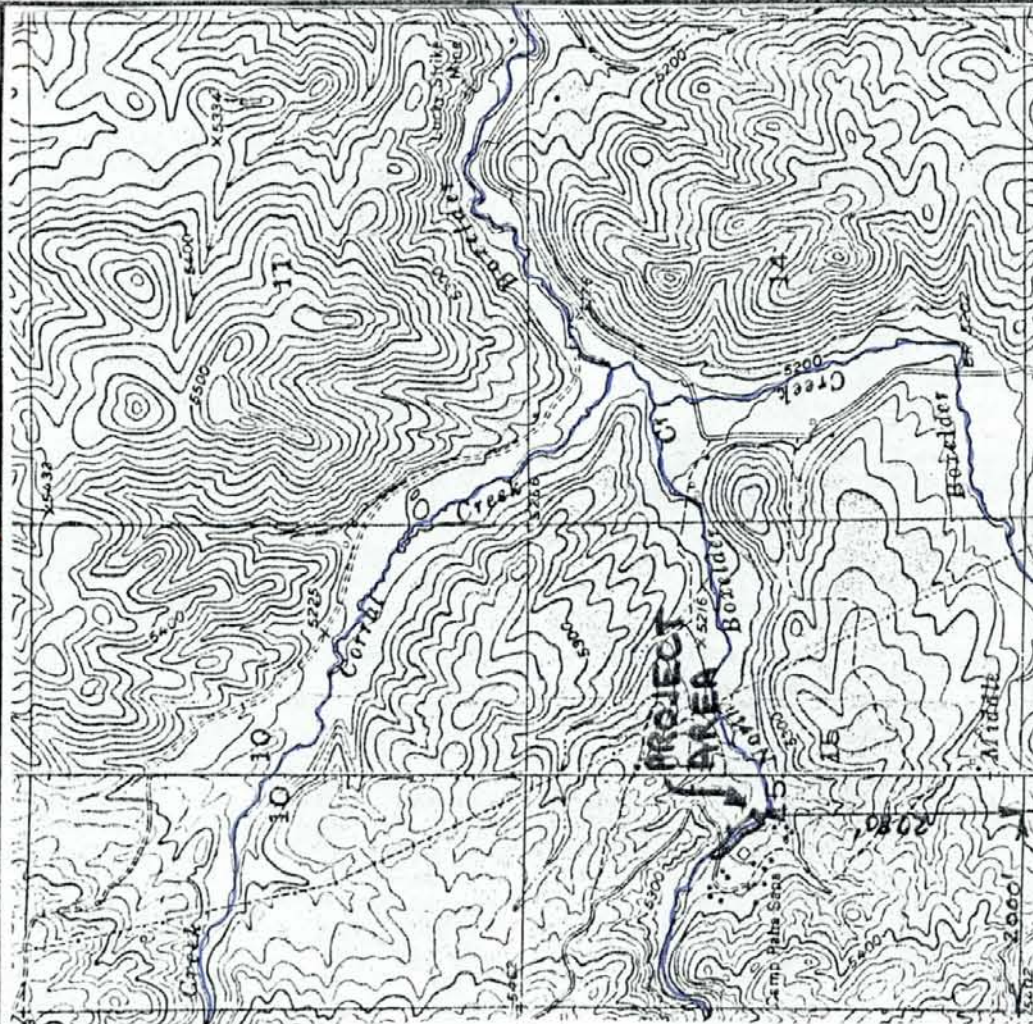
DUGOUT - EL 800

EMERGENCY SPILLWAY - EL 900

PRINCIPAL SPILLWAY - INLET EL 950
24" DIA - PVC PIPE W/ CONCRETE ORAP INLET

PLAN VIEW
SCALE: 1" = 100'

NORTH BOXELDER CREEK



LOCATION MAP SCALE: 1" = 2000'

NOTE: 1) EXISTING CREEK BOTTOM AT PROPOSED FILL IS EL 870.0
DUGOUT IS NEEDED TO SUSTAIN FISH HABITAT.
2) DRAW DOWNTURE REQUIRED TO SERVICE ANY PRIOR
WATERRIGHTS IF NEED BE.
3) MAP PREPARED BY: THOMAS D. VERHELST
AG-ENGINEER, SCS
BELLE FOURCHES SD
Thomas D. Verhelst

DAM	
GIRL SCOUT CAMP	
SEC 15, T3N-R3E-LAWRENCE CO.	
U.S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Designed: <i>Tom Ver Helst</i>	Date: <i>8/90</i>
Drawn: <i>Tom Ver Helst</i>	Date: <i>8/90</i>
Traced: _____	Sheet: _____
Checked: _____	Drawing No: _____
No. _____	of _____