

Considered: _____

WATER PERMIT NO. 1518-1

Phone: 892-2033

Name of Applicant: Rod Woodruff

Post Office Address: 1113 5th, Belle Fourche SD 57717

Amount of Water Claimed: 0.10 Total Acres: _____

Source of Water Supply: groundwater

Water to be used for: commercial County: Meade

About 2 miles East of Sturgis

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 2-8-91 Fee: \$50.00 Remarks Mr. Woodruff

withdrew the irrigation portion of his application

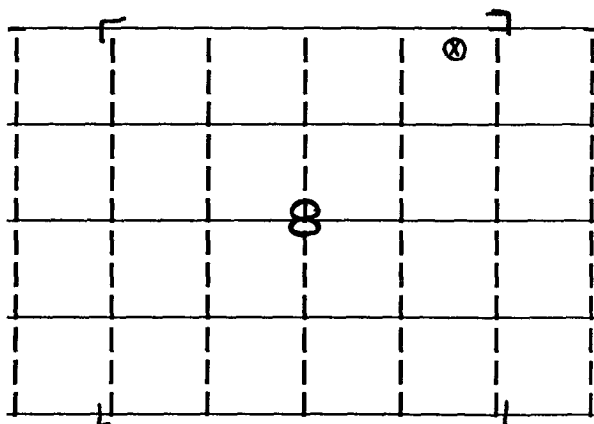
Corrected Application Received _____ Period of Annual Use May 1 - August 31

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

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

Diversion Point: NE 1/4 NE 1/4 Sec 8-T5N-R6E

Land to be Irrigated: _____



Well Log: Driller: Graf Drilling Licensed YES X NO _____

Depth of Well: 1285' REMARKS _____

Type of Map: topo PREPARED BY: Theodore J Vore Reviewed and the Number

Assigned on 4-10-91 By Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT No. 1518-1**

Date of first receipt of application February 8, 1991.

Date of return to applicant for corrections, amendments or changes
February 8, 1991.

Date of receipt of corrected application April 9, 1991.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1518-1 to Rod Woodruff, 1113 5th, Belle Fourche SD 57717 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. 1518-1 appropriates 0.10 cubic feet of water per second from one well (Inyan Kara Formation) 1285 feet deep located in the NE 1/4 NE 1/4 Section 8-T5N-R6E.
2. The water appropriated shall be used for the purpose of supplying water to the campground and may not exceed the amount of water needed for beneficial use for commercial purposes.
3. The water is to be used during the following described annual period: May 1 - August 31.
4. The date of approval of Permit No. 1518-1 is July 17, 1991.
5. The date from which applicant may claim right is February 8, 1991.
6. One-fifth of the construction is to be completed on or before January 17, 1994.
7. All construction is to be completed on or before July 17, 1996.
8. Water is to be put to beneficial use on or before July 17, 2000.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

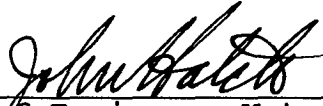
1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

(continued)

Water Permit No. 1518-1
Page 2

2. The well approved under this permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

WATER MANAGEMENT BOARD

By: 
Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

JUL 23 1991
date

(See instructions)

No. 1518-1 Hydrologic Unit 10120202
Basin Belle Fourche River
Newspaper Meade Co. Times-Tribune, Box 69, Sturgis

(Wed)

Application For Soil/Water Compatibility Permit and Permit To Appropriation

- 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 Commercial
- Applicant Rod Woodruff Phone No. 892-2033
- Post Office Address 1113 5th Belle Fourche State SD Zip Code 57717
- (Street, RR or Box) (City)
2. Amount of water claimed (c.f.s.) .10 Total acres irrigated 30
3. Source of Water supply well
4. Location of point of diversion The well location and point of diversion lies S.63°39'49" W. from the NE corner of Section 8, T.5 N., R.6 E., Meade County, South Dakota, B.H.M. (NE 1/4 NE 1/4) County Meade
5. Counties where water will be used Meade
6. Annual period during which water is to be used May 1 through August 31
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
<u>NE 1/4 Sec 8, T.5 N., R.6 E., Meade Co., SD</u>	<u>30</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: X Towline: _____ Center Pivot: _____ Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: hay
10. Give a description of proposed project. (Attach sheet if more space is needed)

In spring and summer I wish to gravity flow irrigate a small acreage through plastic pipe with small sprinklers, similar to lawn watering. I also intend to use the water for campground drinking water supply and for showers.

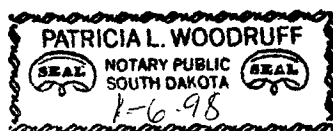
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA
County of Butte

I, Rod Woodruff, 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 and 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 Rod Woodruff

Subscribed and sworn to before me this 7th day of February 1991



Patricia L. Woodruff
Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 7 7/8 Depth 1077 feet 4 3/4 dia. to 1285 feet
- b) Casing Type steel Diameter 5 in. Thickness 15 lb/ft to 1077 feet
steel 4 in. 11 lb/ft to 1220 feet
- c) Screen Type open hole Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 1220 feet
- f) Depth to Water (ground surface to water level) flow 2 gal./min.
- g) Distance to nearest existing domestic well:
 On applicants property none On property owned by others 1/4 miles

2. Dugout Information Estimates will not use for irrigation

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

3. Water Storage Dams will not use for irrigation

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 _____

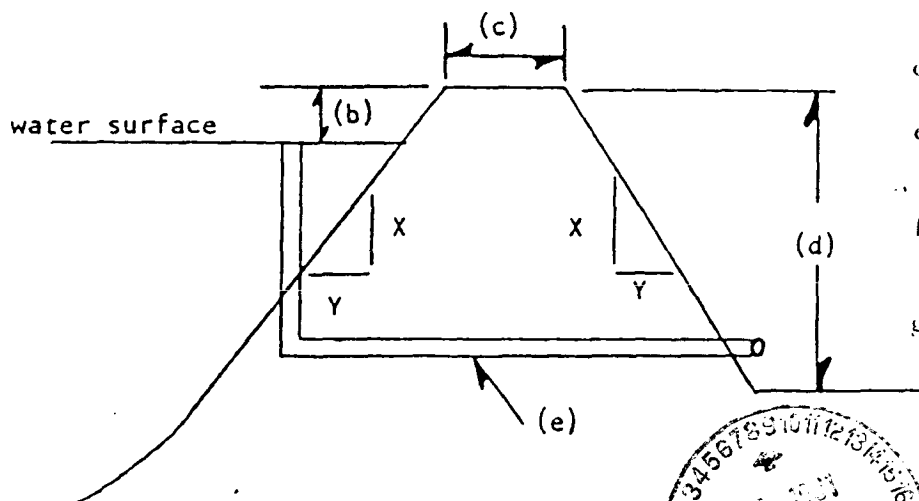
g) X & Y Slope
 Upstream _____

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

412532

Pierre, February 8, 19 91

RECEIVED OF Rod Woodruff, Attourney, 1113 5th Ave, Belle Fourche SD 57717
the following amount in fees for services rendered as provided for by law:

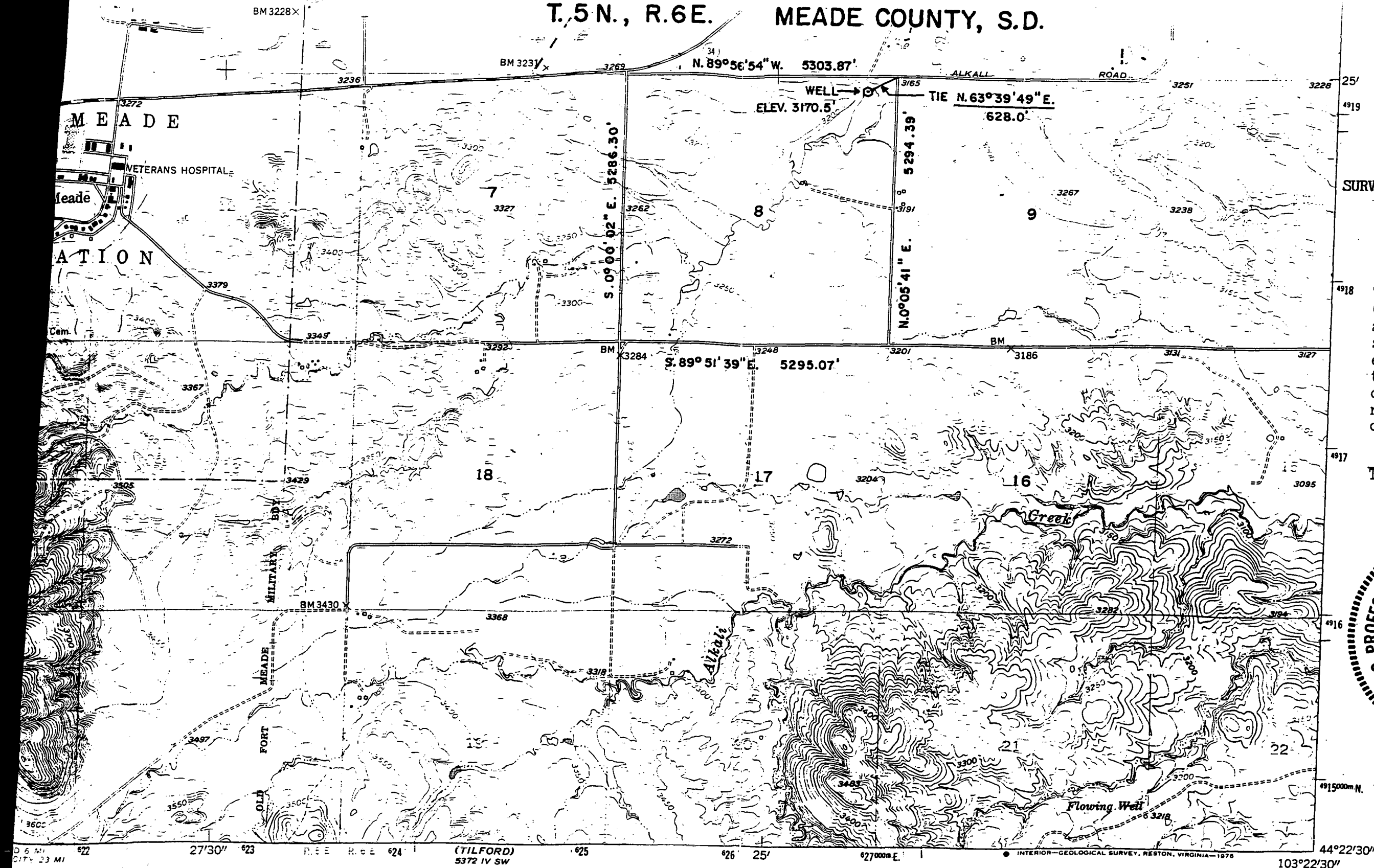
Fee for Application for Permit No. <u>1518-1</u> to Appropriate Water, to construct works and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

T.5 N., R.6 E.

MEADE COUNTY, S.D.

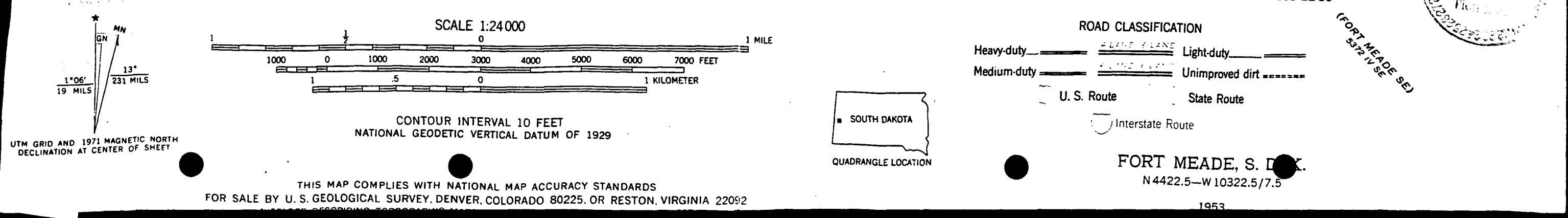
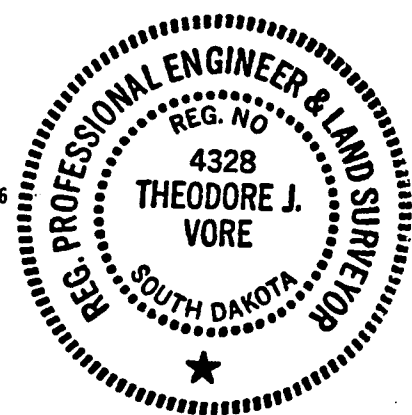
App'l. No. 1518-1



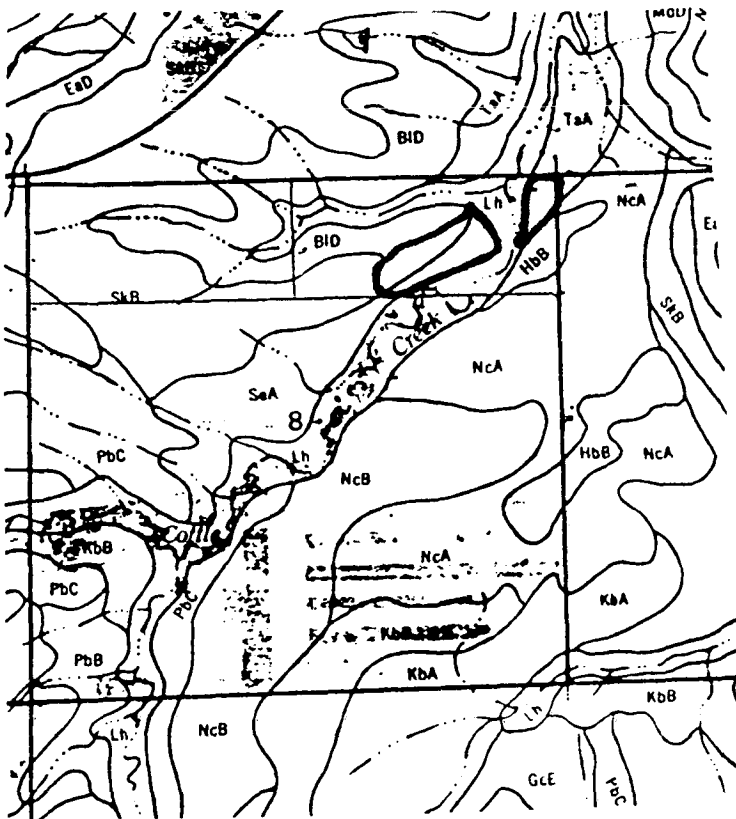
SURVEYOR'S CERTIFICATION:

I, Theodore J. Vore, Registered Land Surveyor do hereby certify that on 11-18-90 I made a survey of Section 8, T.5 N., R.6 E., Meade County, South Dakota, and located the well as shown hereon. The elevation was based on the El corner elevation of 3191 and corner recordations were filed on monuments set.

Theodore J. Vore
Theodore J. Vore
R.L.S. No. 4328



ROD WOODRUFF - Soils Information



Soil Types:

TaA - Tilford - It's favorable for irrigation and drainage is not needed.

SeA - Satana - Favorable for irrigation; Drainage not needed.

BID - Blackpipe - Slope, percs slowly, slow intake for irrigation.

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT

Office Use Only

4595

WR#

OWNERS NAME: ROD WOODRUFF OWNERS ADDRESS: 1113 5TH

BELLE FOURCHE, SD 57717

COUNTY LAND LOCATED IN: MEADE PHONE: 892-2033

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION NE $\frac{1}{4}$ NE $\frac{1}{4}$ 3-T5N-R6E - Meade County

Depth _____

Legal Description	Acres	Legal Description	Acres
NE $\frac{1}{4}$, NE $\frac{1}{4}$, 8-T5N-R6E	30		

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

3. CROPS TO BE IRRIGATED: HAY

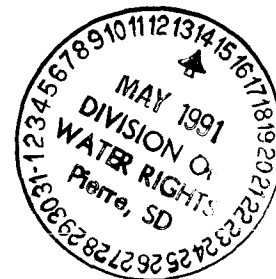
WATER QUALITY:

4. WATER SAMPLE NUMBER: 91-0146 7. ADJUSTED (SAR): 14.99

5. SALINITY (EC X 10⁶): 750 8. PERCENT SODIUM 96.97

6. SODIUM (SAR): 98.05

Requirements:



Director, Division of Conservation

MAY 13, 1991

Date _____

☐ APPROVED ☐ REQUIREMENTS
☒ DISAPPROVED
☐ WAIVER

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



**SOUTH DAKOTA STATE DEPARTMENT OF WATER AND NATURAL RESOURCES
WATER TESTING DATA AND REPORT FORM**

RESULTS OF TESTING (DO NOT WRITE IN THIS SPACE)	
☒ Bacteriologically safe at the time of sampling.	☐ Nitrate content... not of concern.
☐ Bacteriologically unsafe for drinking or washing uncooked foods.	☐ High Nitrate. Do not use for infants up to 6 months age.
☐ Bacteriologically unsafe for swimming.	
☐ Send recheck samples. See #6 on reverse side for recheck sampling instructions.	

FILL IN NAME AND ADDRESS OF PERSON TO RECEIVE REPORT

Name Rod Woodruff
Street or RFD 1113 5th Ave
City Belle Fourche SD Zip Code 57717
Phone number: 605-892-2033

PLEASE PRINT CLEARLY
(Sampling instructions on reverse side)

WATER SUPPLY INFO

Name of water supply: Well (private)
Sample Collector: Kathy Hersrud
Date collected: 6-4-90 Time: 9:30
Type of Supply: Public ☐ Private ☒ Other (Explain below)
Source: Lake ☐ Stream ☐ Cistern ☐ Well ☒ Spring ☐ Gallery ☐
Type of Well: Drilled ☒ Dug ☐ Driven ☐ Bored ☐
Depth of Well: 1225' Diameter of Well: 5"
Location of Sampling Tap: Well head
Purpose of Sample (specify): Routine
Recheck of Unsafe Sample ☐ Other (Explain below) ☐

PRIVATE WELLS ONLY

LOCATION OF WELL SITE
County: Head
LEGAL DESCRIPTION: 5N
Township: 6E
Range: 8
Section: 8
Quarters: N 1/2 NE 1/4
DISTANCE FROM NEAREST TOWN
Miles N or S: 3
Miles E or W: 0
Of: Sturgis

Remarks:

Nitrate _____ ppm. Hardness: _____ ppm. or _____ gpg. Iron: _____ ppm.
Nitrogen: _____ ppm. Manganese: _____ ppm.
Fluoride: _____ ppm.

ml Portion	Number of Tubes	LST		BOB		Pos Tubes	MPN	Membrane Filter
		24 hours	48 hours	24 hours	48 hours			
10	5					0	42	Bacteria Total Coliform
								Count _____ per 100 ml.
								Bacteria
								Count _____ per _____ ml.

Lab No. 76

Date Received 6-5-90

Date Reported 6-7-90

BUFFALO CHIP PICNIC, INC.

Rod Woodruff, President

1113 Fifth Avenue, Belle Fourche, South Dakota, 57717

Telephone (605) 892-2033

Fax (605) 892-4995

February 7, 1991

Department of Water and Natural Resources
Water Rights Division
Joe Foss Building
523 E. Capitol
Pierre SD 57501



Re: Application For Soil/Water Compatibility Permit and Permit To
Appropriate Water - Form 2-Irrigation

Attn: Eric Granlund

Dr. Mr. Granlund:

Enclosed are 1) 2 executed copies of the application referenced above; 2) 2 executed Forms 2A; 3) a check in the amount of \$50.00 for filing fees; 4) the original and one copy of a map showing the precise location of the well and executed by Theodore J. Vore, Registered Professional Engineer and Land Surveyor; 5) 1 copy of South Dakota State Department of Water and Natural Resources Water Testing Data and Report Form, Lab. No. 236 dated June 7, 1990; and 6) a soils information map.

Water storage for irrigation and shower use will be a 16,000 gallon (approximate) tank situated approximately 250 feet southwest of the swell and upon a small hill.

The well was drilled by Joe W. Graf under license number 327. The drilling log has been filed with your office. Enclosed for your further information is a Water Well Completion Report which Mr. Graf furnished me.

Please call if any additional information is needed, or if you've any questions whatsoever. Thank you for your cooperation.

Sincerely,


Rod Woodruff
RNW/plw



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 8, 1991

Rod Woodruff
1113 5th
Belle Fourche SD 57717

Dear Mr. Woodruff:

Enclosed is your application for a permit which is being returned because it has not been notarized.

The water permit application can not be considered until the application is complete and a soil/water permit is obtained from the Department of Agriculture. Upon receipt of a notarized application and the soil/water permit, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure





DEPARTMENT OF WATER & NATURAL RESOURCES

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

COPY

March 21, 1991

Rod Woodruff
1113 5th
Belle Fourche, SD 57717

I am writing this letter in regards to your water permit application for Buffalo Chip Campground. I checked with the Department of Agriculture on the status of the Soil/Water Compatibility Permit and found out they were waiting for a water analysis. The water analysis you originally submitted was for drinking water parameters and not the analysis necessary for them to make a determination on the Soil/Water Compatibility Permit.

Enclosed are mailing labels and an instruction sheet on how to take the water sample. Please follow the instructions and send in the water sample. Once I receive the Soil/Water Compatibility Permit from the Department of Agriculture, I will proceed with processing the permit to appropriate water.

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

Sincerely,


Eric Gronlund
Water Rights Division
605 773-3352

enclosure

Water Rights Division - DWR
Conversation File Documentation

NAME OF PERSON OR FILE: Rod Woodruff

ADDRESS: 1113 5th St., Belle Fourche

COUNTY: Meade

DATE: 4/9/91

TELEPHONE: 892-2033

RE: Water Permit Application

COMMENTS:

Mr. Woodruff called the office to discuss his application. The irrigation portion of the application was denied a Soil/Water Permit. Mr. Woodruff requested that I amend his application to exclude the irrigation of the thirty acres so the application is for appropriation of 0.10 cfs for the campground's drinking water supply and for showers (commercial use).

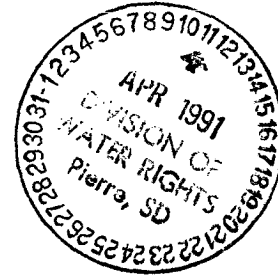
File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Hendland

BUFFALO CHIP PICNIC, INC.

Rod Woodruff, President

1113 Fifth Avenue, Belle Fourche, South Dakota, 57717
Telephone (605) 882-2033
Fax (605) 882-4995



April 9, 1991

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

Attention: Eric Gronlund
Water Rights Division

Re: Amendment of application

Dear Eric:

This letter is written to confirm our telephone conversation after the report I've received, signed by Keith Delang, indicated there was not water and soil compatibility for irrigation. As I indicated to you, the irrigation wasn't a big deal with me because I was only intending to use it to minimize dust.

Since we do not have irrigation compatability I am withdrawing that part of my application. You indicated you would proceed with that amendment this very afternoon, and that the matter will be processed as soon as possible.

Thank you for your cooperation.

Sincerely,

Rod Woodruff

RNW/sfs

Rod Woodruff

ATTORNEY AT LAW

May 31, 1991



1113 5TH AVENUE
BELLE FOURCHE, SD 57717

605/892-2033

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

Attention: Eric Gronlund
Water Rights Division

Re: Commercial Water Use Permit

Dear Eric:

This letter confirms our telephone conversations of this morning. I called because I still hadn't heard from you about my permit to use the well water for drinking water and for the showers. You pulled it up on your computer and advised that it was still in process.

You indicated the engineering study was not deadlined until June 9, 1991. It should be back to you before that time, and you may have had it on your desk now. You have been out of the office for some time.

At any rate, the next step is the recommendation. When that step comes, I would appreciate a telephone call. You anticipate publication in the newspaper on June 17, 1991, though possibly on June 10, 1991. That would allow until July 8, 1991 for comments. If there are no objections, the approval would be automatic. Otherwise, the hearing will be held on July 17, 1991.

I appreciate your cooperation in this matter and will also appreciate being kept up to date.

Thanks again.

Sincerely,

Rod Woodruff
Rod Woodruff

RNW/plw

REPORT ON APPLICATION NO. 1518-1
for Rod Woodruff
June 5, 1991

This application proposes to appropriate 0.10 cfs (45 gpm) from one well approximately 1285 feet deep located in the NE 1/4 NE 1/4 of section 8, T5N R6E in Meade County. The water is to be used for commercial purposes for a campground.

AQUIFER - INYAN KARA (INKR)

The Inyan Kara is an assemblage of sandstone and shale consisting of the Fall River, Fuson and Lakota Formations in descending order. The Inyan Kara is approximately 200 feet thick in this area. The Inyan Kara underlies 2.1 million acres and contains an estimated 36.354 million acre feet of recoverable water in storage in Meade County (Allen, 1984). The Inyan Kara is under artesian conditions at this site and does flow at the land surface. Recharge to the aquifer has not been quantified.

The Division of Water Rights does monitor one observation well MD-90A completed into the Inyan Kara which is located approximately 6 miles northwest of this application. The water level record is not long enough to evaluate any trends. In general there is not much fluctuation in the water levels (Water Rights, 1991).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing permitted diversions from the Inyan Kara are Water Permit No. 1487-1 and Water Right No. 596-1 which are located approximately 2 miles west and 2 miles southwest of this application respectively. The well for this application and the existing permit No. 1487-1 both flow at the land surface. Also both wells are constructed so that a pump can be lowered if necessary. Although drawdown can be expected from diversions interference is not expected to be a concern. The diversion rates are relatively small and the distance between diversions is sufficient to minimize any potential effects. There are domestic users obtaining water from the Inyan Kara in this area.

CONCLUSIONS

1. Water is available from the Inyan Kara aquifer.
2. The aquifer is under artesian conditions and this well does flow at land surface. This well must be valved and controlled to the amount of water needed to prevent the waste of water.
3. Interference is not expected to be a concern.

4. This well has been constructed in accordance with SD Well Construction Standards.


James A Goodman

Natural Resources Engineer

BIBLIOGRAPHY

Allen, J.C., 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1991, Observation Well Records for Meade County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

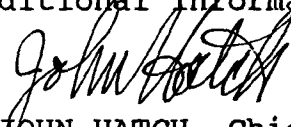
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1518-1, Rod Woodruff

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 1518-1, Rod Woodruff, 1113 5th Street, Belle Fourche, SD 57717.

The Chief Engineer is recommending APPROVAL of Application No. 1518-1 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. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well approved under this permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

See report on application for additional information.


JOHN HATCH, Chief Engineer
June 10, 1991

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

June 12, 1991

Rod Woodruff
1113 5th
Belle Fourche, SD 57717

Dear Mr. Woodruff:

Water Permit Application No. 1518-1 for commercial 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 Meade Co. Times-Tribune printed at Sturgis, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are 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 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 been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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.

South Dakota

GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 12, 1991

Meade Co. Times-Tribune
Box 69
Sturgis, SD 57785

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1518-1 to be published twice. Please publish the first notice on June 19, 1991 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 Rod Woodruff, 1113 5th, Belle Fourche, SD 57717.

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

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 19, 1991 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1518-1 to Appropriate Water

Notice is given that Rod Woodruff, 1113 5th, Belle Fourche, SD 57717 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second from one well (Inyan Kara Formation) 1285 feet deep located in the NE 1/4 NE 1/4 Section 8-T5N-R6E. The water is to be used for commercial purposes by a campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1518-1 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 July 8, 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. 1518-1 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for July 17, 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 July 17, 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 July 17, 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 July 8, 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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.



OK

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 hereinafter mentioned, was a weekly legal newspaper as defined in SDCL 46-2A-2, as amended, published at Sturgis, Meade County, South Dakota, by Publishing, Inc.; that affiant is and, during all of said times, was an officer of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a portion of which is attached, was published in said newspaper for successive days bearing the following dates:

June 19 1991
June 26 1991
____ 199____
____ 199____
____ 199____

that the full amount of the fee charged for publishing the same, to the sum of \$ 5992, inures solely to the benefit of the publisher of said newspaper; that no agreement or understanding for the payment 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

____ day of _____, 199____

John Allison

Notary Public, South Dakota

Water hearing

DEPARTMENT OF
ENVIRONMENT and
NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SD 57501-3181

NOTICE OF HEARING on Application No. 1518-1 to

Appropriate Water

Notice is given that Rod Woodruff, 1113 5th, Belle Fourche, SD 57717 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second from one well (Inyan Kara Formation) 1285 feet deep located in the NE 1/4 NE 1/4 Section 8-T5N-R6E. The water is to be used for commercial purposes by a campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1518-1 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 July 8, 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. 1518-1 and 2) the chief engineer's recommendation, a special Board meeting is scheduled for July 17, 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 July 17, 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 July 17, 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 July 8, 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; 46-6-3, 46-6-3.1, 46-6-3.2, 46-6-3.3, 46-6-3.4, 46-6-3.5, 46-6-3.6, 46-6-3.7, 46-6-3.8, 46-6-3.9, 46-6-3.10, 46-6-13, 46-6-14, 46-6-15, 46-6-16, 46-6-17, 46-6-18, 46-6-19, 46-6-20, 46-6-21, 46-6-22, 46-6-23, 46-6-24, 46-6-25, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Publ. June 19, 26, 1991

~~Black Hills County Times Tribune~~

Conversation or File Documentation

NAME OF PERSON OR FILE: Buffalo Chip Campground (Kathy)ADDRESS: Belle Fourche COUNTY _____DATE: 7/3/90 (11 AM) TELEPHONE _____

RE: _____

COMMENTS:

Genny transferred a called to me, Kathy Hersrud called wondering about a permit for the campground. Supposedly ~~in~~ in Jim Goodman's letter upon receiving the well completion report he stated that the campground needed a water permit. I confirmed that by statute any commercial use of water requires a permit. She said that the well driller told them that since it was such a small amount of water (2gpm) that it didn't require a permit. I responded by telling her the well driller gave her bad advice.

I told that it would not be possible to have a new permit before the WMB until the Oct. 3&4 mtg because the notice deadline for the July 25&26 mtg. ~~She said since~~ I told her she would have had ~~to have~~ of had the application in by June 1, 1990 to get the permit before the Board. She responded that she didn't receive Goodman's letter mid-June, to which I stated that the campground should have had a permit in ~~hand~~ hand prior to drilling the well.

Her main emphasis was ~~in~~ in getting a temporary permit for the two week of the bike rally. I told her that temporary permits were only issued for construction, testing and drilling purposes (i.e. highway construction). She cited ~~the~~ item 13 of the water law summary (May 1987) but she didn't read far enough down to see that it pertained to construction type projects and not commercial uses such as campgrounds. I told her that I

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. ^{over}

NAME: EH (signed on back)

don't speak for the Chief Engineer but in the past he has not acted favorably on temporary permits for this type of purpose. She was emphatic that since this was for only 2 weeks and for such a small amount of water (2 gpm) that the campground should qualify and she asked for a ^{temporary} application to be sent to her. Again, I stated I didn't think the Chief Engineer would approve it but agreed to send her one. I also told her that I would be sending regular water permit application forms. The forms were sent immediately.

Early in our conversation I told her that the campground had no right to use the water without a permit.

Eric Hurlund 7/3/90

BUFFALO CHIP PICNIC, INC.

Rod Woodruff, President

1113 Fifth Avenue, Belle Fourche, South Dakota, 57717

Telephone (605) 882-2033

Fax (605) 882-4895

July 3, 1991

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



Attention: Eric Gronlund
Water Rights Division

Re: Commercial Water Use Permit

Dear Eric:

The newspaper sent me the Affidavit of Publication. I doubt I am supposed to have it. Accordingly, I am forwarding it to you. Please call if you need anything further, or if I was supposed to do anything different with it. I see, however, that your letter instructed them to send it to you.

You indicated we would know something about this application on July 8, 1991. I look forward to hearing from you shortly thereafter to advise me whether or not any comments have been received by your office from any interested party.

Thank you again for your cooperation.

Sincerely,

Rod Woodruff
Rod Woodruff

RNW/plw

Encl: Affidavit of Publication

South Dakota



GREAT FACES. GREAT PLACES.

JUL 23 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Rod Woodruff
1113 5th
Belle Fourche, SD 57717

Dear Mr. Woodruff:

Enclosed is Water Permit No. 1518-1 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

September 1, 1999

1518-1

Rod Woodruff
1113 5th Ave.
Belle Fourche, SD 57717

Dear Mr. Woodruff:

The investigation of your water use system was conducted on July 14, 1999, by Ron Duvall, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1518-1. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation 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**

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.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

No 416281

Pierre, December 3, 19 99

RECEIVED OF Rod Woodruff (Buffalo Chip Campground), RR 1, Box 339, Belle Fourche, SD 57717
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>1518-1</u>	5000	
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

BUFFALO CHIP® CAMPGROUND

Rod Woodruff
1113 5th Avenue South
Belle Fourche, SD 57717
605.892.2033
fax.892.4995

RR 1 Box 339, Belle Fourche, S D 57717
<http://www.buffalochip.com>
woody@buffalochip.com
reservations 605. 892.4101
home fax 892.2200



December 2, 1999

Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

605-773-3352

Att: Ron Duvall

Re: Water Permit No. 1518-1

Dear Ron:

Enclosed is my check number 2678 payable to the DENR in the amount of \$50. This is in payment for the water license, which I understand will be issued to allow a maximum usage of 45 gallons per minute.

I thank you for your time and attention.

Sincerely,

Rod Woodruff
Rod Woodruff

RNW/plp

Enc: check #2678 (\$50)

Permit No. 1518-1
Belle Fourche River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

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

I have this day, **July 14, 1999**, made a thorough examination of the water use system constructed by **Rod Woodruff** of **1113 5th, Belle Fourche SD 57717** holder of Permit No. **1518-1**, bearing the priority of **February 8, 1991** authorizing the diversion of **0.10** cu. ft. per second of the waters of **Inyan Kara Formation** for **commercial** purposes, in **Meade** County.

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

A. Works used to divert the water:

Pump\Motor:

- 1) Make **unknown submersible**
- 2) Capacity **≈ 45** GPM

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

Water is diverted from the well to a 50,000 gallon storage tank and then distributed to the campground for sanitary and drinking purposes.

The system is in the following condition **good**. The point of diversion is located **Well: ≈ 600 feet W and ≈ 230 feet S from the NE corner section 8-T5N-R6E (NE¼NE¼)**. The works are capable of diverting and conveying to the place of use **0.10** cu. ft. per second of water which is to be used for **commercial purposes**. Water has been put to beneficial use to the maximum extent and the license should be issued for **0.10** cfs.

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

Exceptions to compliance are: **none** Date report completed: **September 1, 1999**



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

The original map submitted with the application for No. 1518-1 accurately depicts the location of the well included in this Examination of Works. No additional inspection map has been prepared.

FIELD INVESTIGATION REPORT FOR PERMIT NO. 1518-1

DATE OF INVESTIGATION	July 14, 1999
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Phil Garhart, Manager
NAME & ADDRESS OF PERMIT HOLDER	Rod Woodruff 1113 5th Belle Fourche SD 57717
DIVERSION POINT LEGAL LOCATION	Well: $\approx$ 600 feet W and $\approx$ 230 feet S from the NE corner section 8-T5N-R6E (NE$\frac{1}{4}$NE$\frac{1}{4}$)

Other permit(s) associated with the project: none

WELL INFORMATION:

1) Well Drilling Firm: Graf Drilling

2) No. of Wells 1

3) Depth(s) 1,285 feet

4) Well log is available Y

Casing:

1) Diameter 4 & 5 inches

2) Length 1,220 feet

3) Type steel

Screen:

1) Type open hole

2) Length 65 feet

3) Static water level flowing feet

Pump/Motor:

1) Make unknown submersible

2) Capacity $\approx$ 45 GPM

DISTRIBUTION LINES OR CANALS:

Water is diverted from the well to a 50,000 gallon storage tank and then distributed to the campground for sanitary and drinking purposes.

PERMIT QUALIFICATIONS:

1) Special qualifications to permit being abided by Y

2) All structures, wells and lands on map Y

STATE OF SOUTH DAKOTA

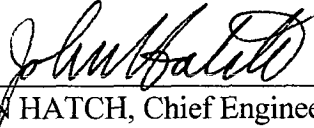
WATER LICENSE NO. 1518-1

(1) Rod Woodruff, 1113 5th Ave South, Belle Fourche, SD 57717 made Application No. 1518-1, February 8, 1991 for a water permit to divert 0.10 cubic feet of water per second from ground water (one well – Inyan Kara Formation), Meade County, South Dakota for commercial purposes. Permit No. 1518-1, with a priority date of February 8, 1991 was approved July 17, 1991 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 17, 1996 and for the application to beneficial use of said water on or before July 17, 2000.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.10 cubic feet of water per second for beneficial use. The location of the diversion point is 600'W and 230'S of the NE corner Section 8, T5N, R6E (NE ¼ NE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for sanitary and drinking water purposes at the Buffalo Chip Campground.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Rod Woodruff, 1113 5th Ave South, Belle Fourche, SD 57717 the holder and/or owner of Water Right No. 1518-1 is issued a license to appropriate water, the right to use 0.10 cubic feet of water per second from ground water (one well – Inyan Kara Formation) with a priority date of February 8, 1991 from the location specified in (2) of this license. The water is used for commercial use purposes. This license is subject to any limitations or qualifications listed in Water Right No. 1518-1 and subject to South Dakota State Law.



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

DEC 10 1999

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

DEC 10 1999

1518-1

Rod Woodruff
1113 5th Ave. South
Belle Fourche, SD 57717

Dear Mr. Woodruff:

Enclosed is Water License No. 1518-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416281 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1518-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

gm
enclosures



1518-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

1518A-1
1718A-1
1780A-1

Rod Woodruff
PO Box 909
Belle Fourche SD 57717

Dear Mr. Woodruff:

Enclosed are Water Permit Nos. 1518A-1, 1718A-1 and 1780A-1 which amend the existing permits to reflect annual use. Also, enclosed are Water License Nos. 1518A-1 and 1718A-1.

For your information SDCL 46-6-27 requires that if the owner of existing wells, such as the wells authorized by these water rights, 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 Licenses, the State Water Laws provide that you have a continuing right to use the water. At some future time, we will schedule an inspection of Water Permit No. 1780A-1 so the water license may issued.

If you have any questions, please contact our office.

Sincerely,

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

Note: The applicable portions of No. 1518-1 are incorporated into Water License No. 1518A-1.
The applicable portions of No. 1718-1 are incorporated into Water License No. 1718A-1.

enclosures