

Considered: _____

WATER PERMIT NO. 1541-1

Phone: 578-2000

Name of Applicant: Automatic Vendors, Inc.

Post Office Address: 500 Main St, Deadwood SD 57732

Amount of Water Claimed: 0.04 cfs 18 gpm Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial County: Meade

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received: 3-16-92 Fee: \$50 Remarks _____

Corrected Application Received _____ 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: SW 1/4 SE 1/4 Sec 5-T5N-R5E

Land to be Irrigated: _____

			\$	
			⊗	

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

Depth of Well: 360' REMARKS _____

Type of Map: plat PREPARED BY: John M Arleth, RLS Reviewed and the Number

Assigned on 3-16-92 By Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT No. 1541-1**

Date of first receipt of application March 16, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1541-1 to Automatic Vendors, Inc., 500 Main St., Deadwood SD 57732 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. 1541-1 appropriates 18 gallons per minute (0.04 cubic feet of water per second) from one well (Minnekahta Formation) 360 feet deep located in the SW 1/4 SE 1/4 Section 5-T5N-R5E.
2. The water appropriated shall be used for the purpose of supplying water to business 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: January 1 - December 31.
4. The date of approval of Permit No. 1541-1 is June 2, 1992.
5. The date from which applicant may claim right is March 16, 1992.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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.

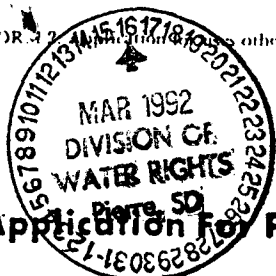
WATER MANAGEMENT BOARD

By: _____

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

AUG 5 1992

date



No. 1541-1 Hydrologic Unit 10120202
Map No. _____ Basin Belle Fourche
Newspaper Meade Co Times-Tribune, Box 69 (Wed)

347-2503

Sturgis

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 ☐

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained

Change 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 AUTOMATIC VENDORS, INC. Phone No. 578-2000

Post Office Address 500 MAIN ST. DEADWOOD SD State 57732
(Street, RR or Box) (City) (Zip Code)

2. Amount of water claimed (~~18~~) 18 gallons/minute 0.04 cfs

3. Source of water supply GROUND WATER

4. Location of point of diversion LOT A OF LOT1A OF SCHNELLS ADDITION TO THE CITY OF STURGIS,
LOCATED IN THE SW1/4SE1/4, SECTION 5, T5N, R5E, BHM, SOUTH DAKOTA. WELL IS N 74° 09' W
OF THE SE CORNER OF SECTION 5, T5N, R5E, BHM. (see attached) MEADE

5. Counties where water will be used MEADE

6. Annual period during which water is to be used JAN 1 - DEC 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)

PROVIDE WATER FOR SANITARY FACILITIES AND BAR USE

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 _____) ss

I, MICHAEL J. TRUCANO 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 Michael J. Williams

Subscribed and sworn to before me this 12 day of March 1992

Commission expires: 11-7-99 Michele K. Kindsfater
Notary Public

Survey Public

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth 360'
- 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 400'

2. Dugout Information Estimates

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

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

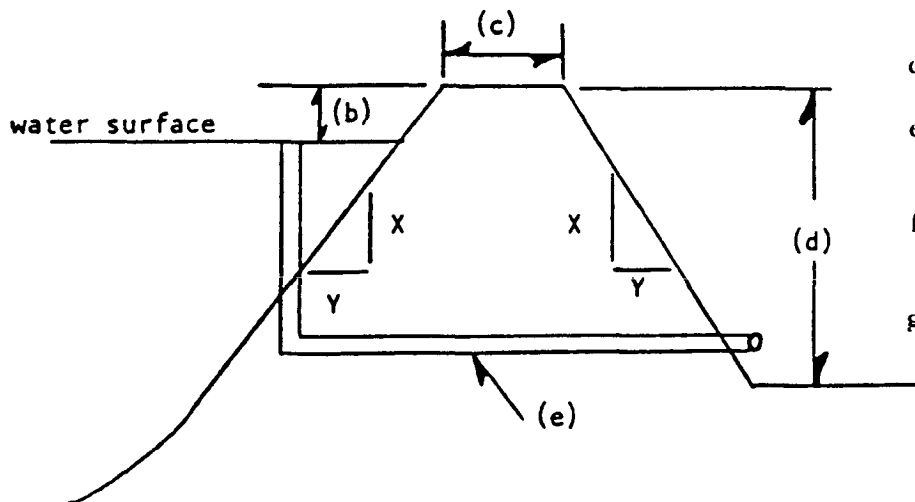
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Michael J. [Signature]

Signature of Applicant

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

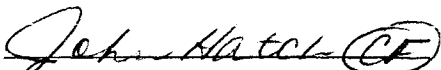
413123

Pierre, _____ March 16, 1992

RECEIVED OF Automatic Vendors, Inc., 500 Main Street, Deadwood, SD 57732

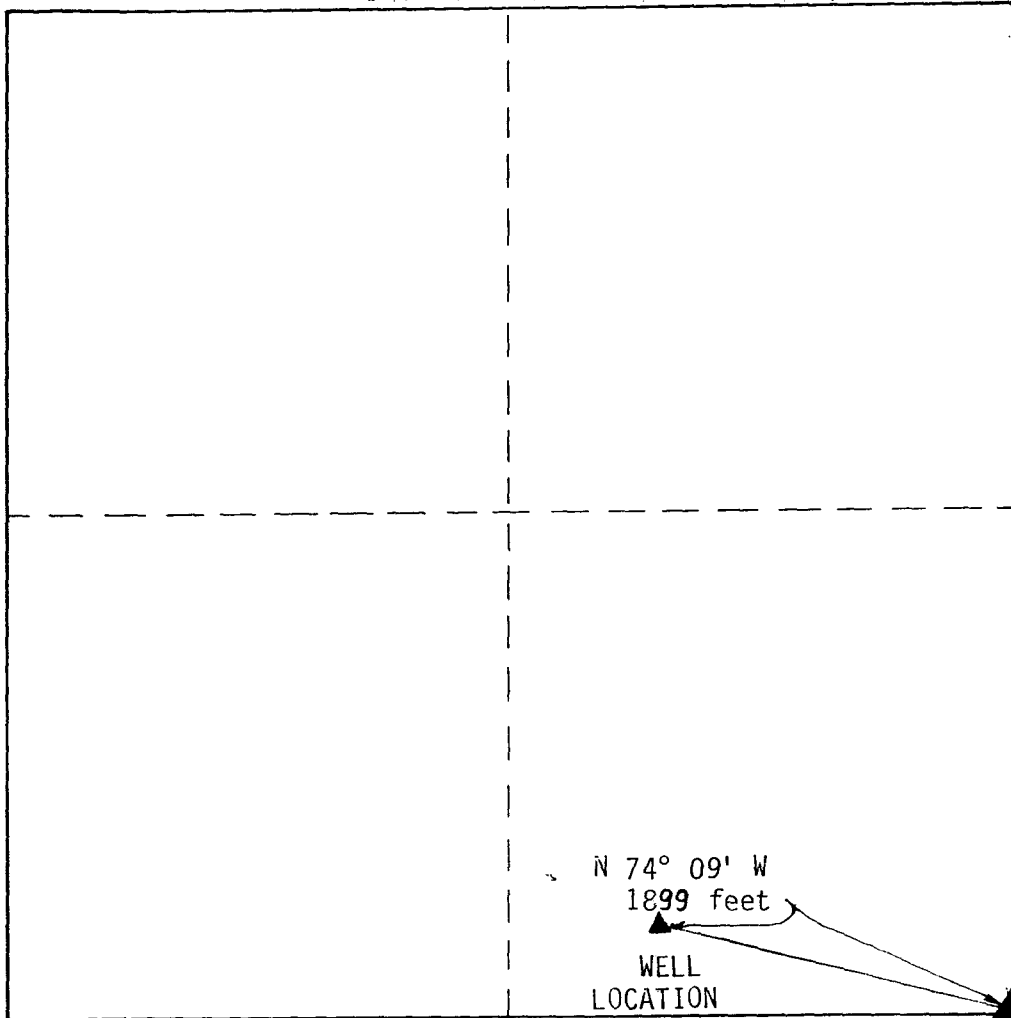
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>1541-1</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

WELL LOCATION MAP

SECTION 5, T5N, R5E, BHM,
MEADE COUNTY, SOUTH DAKOTA.

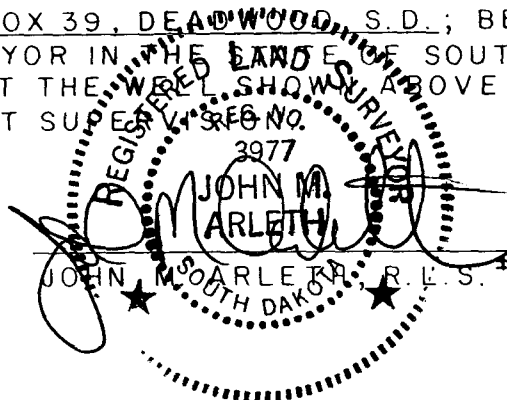


SCALE: 1" = 1000'

SE CORNER SECTION 5

I, JOHN M. ARLETH, P.O. BOX 39, DEADWOOD, S.D.; BEING A
REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA,
DO HEREBY CERTIFY THAT THE WELL SHOWN ABOVE WAS SUR-
VEYED UNDER MY DIRECT SUPERVISION.

3/10/92
DATE



MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP

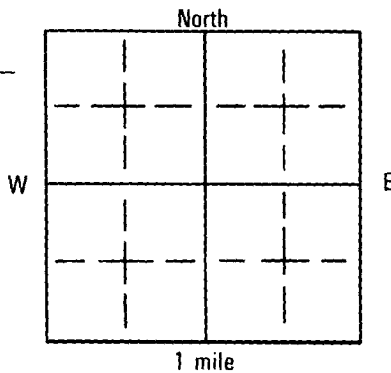


SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SW 1/4 Sec 5 Twp 5 Rg 5County Miner

Please mark well location with an "X"

Well Completion Date 11, 9, 91

PROPOSED USE:

- ☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

ROTARY

CASING DATA:

- ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>15</u> LB/FT	<u>5 1/2</u> IN	<u>0</u> FT	<u>330</u> FT	<u>7 3/8</u> IN
_____ LB/FT	<u>8 5/8</u> IN	<u>0</u> FT	<u>55</u> FT	<u>12 1/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 330 FEETWhat is grouting material? CEMENTIf cement, number of sacks? 55 SAKSDescribe grouting procedure PRESSURE GROUT

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material OPEN HOLE 330-360

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

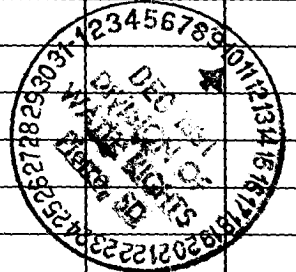
Well Owner: (Wigley Field)Name BLACK HILLS NOVELTY CO. INC.Address 500 Main StWell Log Deadwood SD Depth 5752

Formation

From

To

<u>GRAVEL</u>	<u>0</u>	<u>50</u>
<u>RED BEDS</u>	<u>50</u>	<u>328</u>
<u>LIME STONE</u>	<u>328</u>	<u>360</u>

STATIC WATER LEVEL 100 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☐ PumpedAIR TEST☐ Bailed

Describe: _____

☐ Other _____

Pumping Level Below Land Surface

350 ft. After 1 Hrs. pumped 30 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 327

And this report is true and accurate.

Drilling firm GRAF DRILLING

Signature of License Representative:

Signature of Well Owner:

Date _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 15, 1992

Black Hills Novelty Co., Inc.
500 Main St
Deadwood SD 57732

Dear Sir :

A well driller's report filed by Graf Drilling shows that they completed a new well for you which produced 30 Gallons Per Minute (GPM). Based on the information in the report, you may need a water permit.

1. A water permit must be obtained for any water use except for reasonable, private domestic use. Reasonable use is defined as use of 18 GPM or less, on an average daily basis (26,000 gallons per day), with a maximum rate not exceeding 25 GPM. Water distribution systems (i.e. suburban housing; manufactured and mobile home developments; rural water systems; municipalities; etc.) may not exceed 18 GPM without a water permit. Examples of commercial use that require permits for private water supplies are: truckstops; motels; restaurants; bars; clubs; tourist attractions; commercial campgrounds and any other business operation. Examples of noncommercial use that require permits for private water supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 GPM or use water outside of the school building.
2. As a new well owner, you need to be aware of some of your responsibilities. Enclosed is a copy of "Well Owner Responsibilities". Please review these responsibilities to ensure you are complying with all of the requirements.

Please complete and return the enclosed application forms, with the required fee, to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by February 14, 1992, or contact Don Frye (605-773-3352) if you don't believe your water use requires a permit or if you need assistance.

Very truly yours,

RON DUVAL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
enclosure

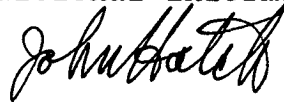
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1541-1, Automatic Vendors, Inc.

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. 1541-1, Automatic Vendors, Inc., c/o Michael J Trucano, 500 Main St, Deadwood, SD 57732.

The Chief Engineer is recommending APPROVAL of Application No. 1541-1 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) it is in the public interest with the following qualifications:

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.

See report on application for additional information.



JOHN HATCH, Chief Engineer
April 20, 1992

REPORT ON APPLICATION NO. 1541-1
for Automatic Vendors, Inc.
April 16, 1992

Application No. 1541-1 proposes to appropriate 18 gpm (0.04 cfs) from one well approximately 360 feet deep located in the SW 1/4 SE 1/4 of section 5, T5N R5E BHM in Meade County. The water is used for commercial purposes at Automatic Vendors.

AQUIFER - MINNEKAHTA FORMATION (MNKT)

The Minnekahta consists of a gray to pink limestone and ranges in thickness from 25 to 65 feet (Peter, 1987). Ground water is found in fractures and the naturally thin bedded rock. Typically ground water is encountered at the top or the bottom of the Minnekahta where the softer sediments of the Opeche and Spearfish Formations contact the Minnekahta. The Minnekahta underlies 2.15 million acres and contains an estimated 5.37 million acre feet of recoverable water in Meade County (Allen, 1984). The Minnekahta is under confined (artesian) conditions at this site. The driller's log submitted with this application indicates the top of the Minnekahta at 328 feet and extended to a depth of 360 feet. The driller reported that the well had a static water level of 100 feet below land surface and was capable of producing 30 gpm.

The Division of Water Rights does not monitor any Minnekahta observation wells in this area. No historical water level data is available for this area.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other water permits/rights which obtain water from the Minnekahta in this area. Interference is not expected to be a concern.

CONCLUSIONS

1. Water is available from the Minnekahta Formation.
2. The aquifer is under artesian conditions. Fluctuations due to pumping can be expected to occur, however, this proposed diversion is relatively small and drawdown should not be significant. Interference should not be a concern.
3. This well has been constructed in accordance with SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Allen, J.C., etal, 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.

Peter, K.D., D.P. Kyllonen, 1987, Geohydrology and Water Quality of the Inyan Kara, Minnelusa, and Madison Aquifers of the Northern Black Hills, South Dakota and Wyoming, and Bear Lodge, Wyoming, USGS WRI 86-4158, USGS, Rapid City, SD, 57701.



**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.

April 29, 1992

Michael J Trucano
500 Main St
Deadwood, SD 57732

Dear Mr. Trucano:

Water Permit Application No. 1541-1 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 (Ph # 347-2503). 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 29, 1992

Meade Co Times-Tribune
Box 69
Sturgis, SD 57785

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1541-1 to be published twice. Please publish the first notice on May 6, 1992, 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 Automatic Vendors, Inc., 500 Main St, Deadwood, SD 57732 (Ph # 578-2000).

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 May 6, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1541-1 to Appropriate Water

Notice is given that Automatic Vendors, Inc., 500 Main St, Deadwood, SD 57732 has filed an application for a water permit to appropriate 18 gallons per minute (0.04 cubic feet of water per second) from one well (Minnekahta Formation) 360 feet deep located in the SW 1/4 SE 1/4 Section 5-T5N-R5E. The water is for commercial use at Automatic Vendors.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1541-1 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 May 26, 1992. 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. 1541-1 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for June 2, 1992, 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 June 2, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board 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 June 2, 1992, 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 May 26, 1992.

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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Meade) ss.



I, Faye D. Pate

certify that the attached printed Notice was taken
 from the Meade County Times-Tribune

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

City of Sturgis

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

May 6 1992

May 13 1992

Faye D. Pate

(Signature)

Accountant

(Title)

13 May 92

(Date Signed)

Cost of Printing: 68.78

Water permit

Department of
 Environment and
 Natural Resources
 Joe Foss Building
 523 East Capitol
 Pierre, S.D. 57501-3181

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 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
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**Any person interested in oppos-
 ing or supporting this application**

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 BOTH the applicant and Chief
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 plication, the petitioner's reasons
 for opposing or supporting the ap-
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 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
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 plication is opposed or the recom-

mendation is contested, the June 2, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board 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 June 2, 1992, 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 May 26, 1992.

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, 46-6-11, 46-6-14, 46-6-26; and Rules ARSD 74:02:01.01 thru 74:02:01:15.

Publ. May 6, 13, 1992

Meade County Times-Tribune



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 5 1992

Michael Trucano
Automatic Vendors, Inc.
500 Main Street
Deadwood, SD 57732

Dear Mr. Trucano:

Enclosed is Water Permit No. 1541-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is fluid and cursive, with a large, stylized "J" and "H".

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 26, 1999

1541-1

Automatic Vendors, Inc.
Todd Mitchell, Bookkeeper
69 Sherman Street
Deadwood, SD 57732

Dear Mr. Mitchell:

The investigation of your water use system was conducted on July 12, 1999, by Ron Duvall, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1541-1. 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

№ 416169

Pierre, _____

July 29, 19 99

RECEIVED OF Automatic Vendors, Inc., 2095 Hwy. 14A, Sturgis, SD 57785

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. 1541-1

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Chief Engineer

John Hatcher

FIELD INVESTIGATION REPORT FOR PERMIT NO. 1541-1

DATE OF INVESTIGATION	July 12, 1999
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Todd Mitchell, Bookkeeper
NAME & ADDRESS OF PERMIT HOLDER	Automatic Vendors, Inc. 500 Main Street Deadwood SD 57732
DIVERSION POINT LEGAL LOCATION	Well: 1,860 feet W and 460 feet N from the SE corner section 5-T5N-R5E (SW $\frac{1}{4}$ SE $\frac{1}{4}$)

Other permit(s) associated with the project: none

WELL INFORMATION:

- 1) Well Drilling Firm: Graf
- 2) No. of Wells 1
- 3) Depth(s) 360 feet
- 4) Well log is available Y

Screen:

- 1) Type none (open hole)
- 2) Length 30 feet
- 3) Static water level 100 feet

Casing:

- 1) Diameter 8 5/8 & 5 1/2 inches
- 2) Length 330 feet
- 3) Type steel

Pump\Motor:

- 1) Make unknown submersible
- 2) Capacity 18 GPM

DISTRIBUTION LINES OR CANALS:

Water is used to water approximately 200 sq yds of lawn area around Wrigley Field bar. Sanitary water supply is now hooked to City of Sturgis. Switch made from well to city water approximately two months ago.

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y

Permit No. 1541-1
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 12, 1999, made a thorough examination of the water use system constructed by Automatic Vendors, Inc. of 500 Main Street, Deadwood SD 57732 holder of Permit No. 1541-1, bearing the priority of March 16, 1992 authorizing the diversion of 0.04 cu. ft. per second of the waters of Minnekahta 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 18 GPM

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

Water is used to water approximately 200 sq yds of lawn area around Wrigley Field bar. Sanitary water supply is now hooked to City of Sturgis. Switch made from well to city water approximately two months ago.

The system is in the following condition good. The point of diversion is located *Well: 1,860 feet W and 460 feet N from the SE corner section 5-T5N-R5E (SW¼SE¼). The works are capable of diverting and conveying to the place of use 0.04 cu. ft. per second of water which is to be used for commercial use. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.04 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: none Date report completed: July 21, 1999



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

***Well is located as shown on the original map
filed with the permit application for No. 1541-1.**

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1541-1

(1) Automatic Vendors, 69 Sherman St., Deadwood SD 57732 made Application No. 1541-1, March 16, 1992 for a water permit to divert 0.04 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for commercial purposes. Permit No. 1541-1, with a priority date of March 16, 1992 was approved June 2, 1992 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(2) It is certified that the 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 0.04 cubic feet of water per second for beneficial use. The location of the diversion point is 1,860 feet west and 460 feet north from the southeast corner of Section 5-T5N-R5E (SW ¼ SE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. The company now uses water from the City of Sturgis for their sanitary water supply. The well authorized under this water right is used to water the lawn area around Wrigley Field bar.

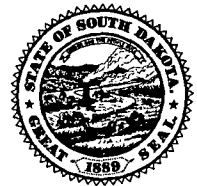
(4) Pursuant to South Dakota Water Law 46-5-30.1 Automatic Vendors, 69 Sherman St, Deadwood SD 57732 the holder and/or owner of Water Right No. 1541-1 is issued a license to appropriate water, the right to use 0.04 cubic feet of water per second from groundwater (one well) with a priority date of March 16, 1992 from the location specified in (2) of this license for commercial purposes. This license is subject to any limitations or qualifications listed in Water Right No. 1541-1 and subject to South Dakota State Law.



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

AUG 5 1999

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 5 1999

1541-1

Automatic Vendors
%Todd Mitchell, Bookkeeper
69 Sherman St.
Deadwood, SD 57732

Dear Mr. Mitchell:

Enclosed is Water License No. 1541-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416169 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. 1541-1, 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

ks
enclosures