

WATER PERMIT NO. 1683-1

Name of Applicant: Dennis & Arvetta Harris

Address: HC 80 Box 829, Piedmont SD 57769

Phone: 605 787-6265

Amount of Water Claimed: 20 gpm (0.044 cfs)

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial & domestic use

County: Meade

Type of Waste Disposal System: ~~septic and drain field~~ ^{jet} holding tanks

Location: 2 miles north of Piedmont

PRIORITY

Date Received: 4-5-1999

Fee: \$50.00

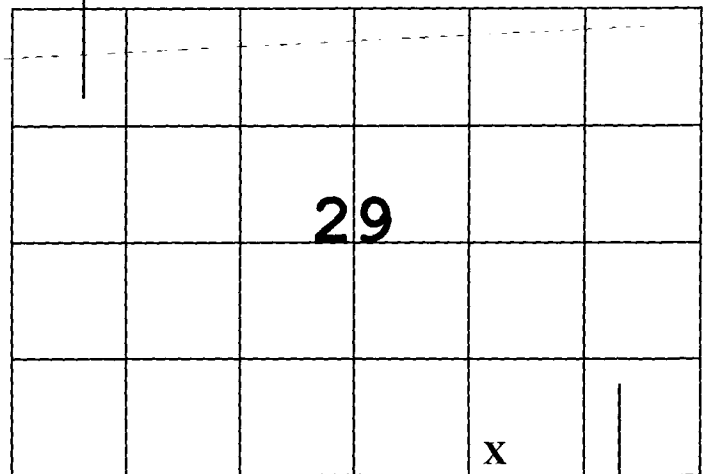
Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks: temporary use at a campground during the month of August

Diversion Point: SE ¼ SE ¼ Sec 29-T4N-R6E

Land to be Irrigated: NA



Depth of Well: 400 feet deep

Well Driller: Cimarron Drilling

Remarks:

Type of Map: aerial

Prepared by: Ron Duvall

Reviewed and the Number Assigned on: 4-5-1999

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 1683-1**

Date of first receipt of application April 5, 1999.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1683-1 to Dennis & Arvetta Harris, HC 80 Box 829, Piedmont SD 57769 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. 1683-1 appropriates 0.044 cubic feet of water per second (20 gallons per minute) from one well (Minnelusa Formation) 400 feet deep located in the SE ¼ SE ¼ Section 29-T4N-R6E.
2. The water appropriated shall be used for the purpose of supplying water for commercial use at a campground and domestic use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: domestic use – January 1 – December 31 and commercial use June 1 – September 30.
4. The date of approval of Permit No. 1683-1 is June 7, 1999.
5. The date from which applicant may claim right is April 5, 1999.
6. One-fifth of the construction is to be completed on or before December 7, 2001.
7. All construction is to be completed on or before June 7, 2004.
8. Water is to be put to beneficial use on or before June 7, 2008.
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.
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: John Hatch
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 15 1999

date



Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- Drill Hole Diameter _____ Depth _____
- Casing Type _____ Diameter _____ Thickness _____
- Screen Type _____ Diameter _____ Thickness _____
- Gravel Pack Thickness _____ Length of Gravel Pack _____
- Depth to Top of Water Bearing Material _____
- Depth to Water (ground surface to water level) _____
- Distance to nearest existing domestic well:
 - On applicants property Y
 - On property owned by others _____

2. Wastewater Disposal System Information

- Type of System (i.e. septic tank, drain field) Septic & Drain field
- System Capacity (gallons) 1,000
- Year Constructed 200
- Connected to the City of None Sanitary System.

*For 2,000 tank
for gray water
pumped annually*

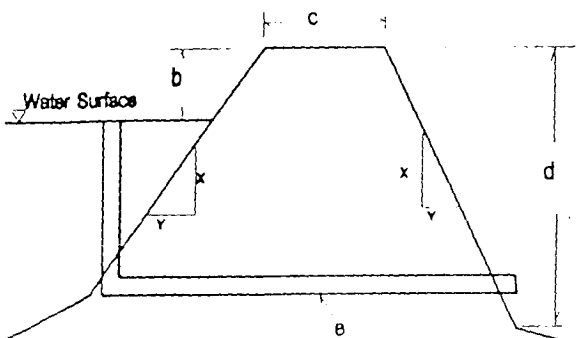
3. Dugout Information

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

4. Water Storage Dams

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

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



- Freeboard _____
- Crest Width _____
Crest Length _____
- Height _____
- Primary Outlet Capacity _____
If pipe, diameter _____
- Secondary Spillway Capacity _____
Spillway Width _____
- X & Y Slope
Upstream _____
Downstream _____
- Surface Area of Impoundment
- Storage _____ Acre Feet
- Drainage Area Above Dam _____ Acres

FORM 2: Application for uses other than irrigation
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>1603-1</u> Hydrologic Unit <u>10/2011</u>
	Basin <u>Upper Cheyenne</u> Newspaper <u>Meade Co. Times Tribune, Sturgis, SD</u>



Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

☐ Municipal ☐ Suburban Housing ☐ Recreational ☐ Institutional
☐ Rural Water System ☒ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☒ Domestic (over 18 gpm) ☐ Industrial ☐ Other, see would like to

Type of Application: ☒ New ☒ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

- Name of Applicant Dennis & Arvella Harris Phone 605-787-6265
(check one) ☒ Owner ☐ Tenant/lessee HC 80 Box 829, Piedmont SD 57769
- Amount of water claimed 10.1 cfs or (0.044 cfs) 20 **GPM 20 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Well 400 feet
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) SE of SE Quatern (1 well)
sec 29-T4N-R6E
County Meade
- County or counties where water will be used Meade domestic use Jan 1 - Dec 31
- Annual period during which water is to be used August only - temporary campground
(Commercial use - June 1 - Sept. 30)
- Give a description of the 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)
use of well for temporary campgrounds in the
Mo. of August and household use year round.

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

SS

County of meade

I, Dennis & Arvella Harris, 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 Arvella Harris
Dennis & Harris

Subscribed and sworn to before me this 2nd day of April 19 99

Jerry W. Castiel
Notary Public

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416085

Pierre, April 5, 1999

RECEIVED OF Dennis or Arvetta Harris, HC 80, Box 829, Piedmont, SD 57769
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 _____	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. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	100 00

By John Hatch
Chief Engineer

R. D. Small
Nat Res Engineer
4/6/99

25.5

⑦ NW
HEL

24.8

⑥ NW
N

T 770

MT 366

29

T 776
7350

T 774

I certify that Dennis
Harris owns this property
Mark Hulbert
CED

Merri Co FSA office

Holmes
4/2/99

F5
(4-6)

17.8

④ NW
HEL

Comm

① 26.8

NW
N

8/19/04

well

T 776

7351

NW
N

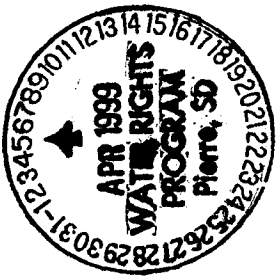
③ 16.4

NW
N

2.6
⑤A

NW
N

1683-1

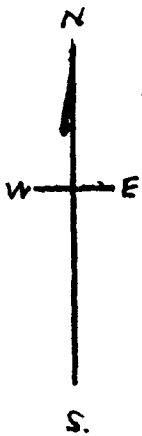
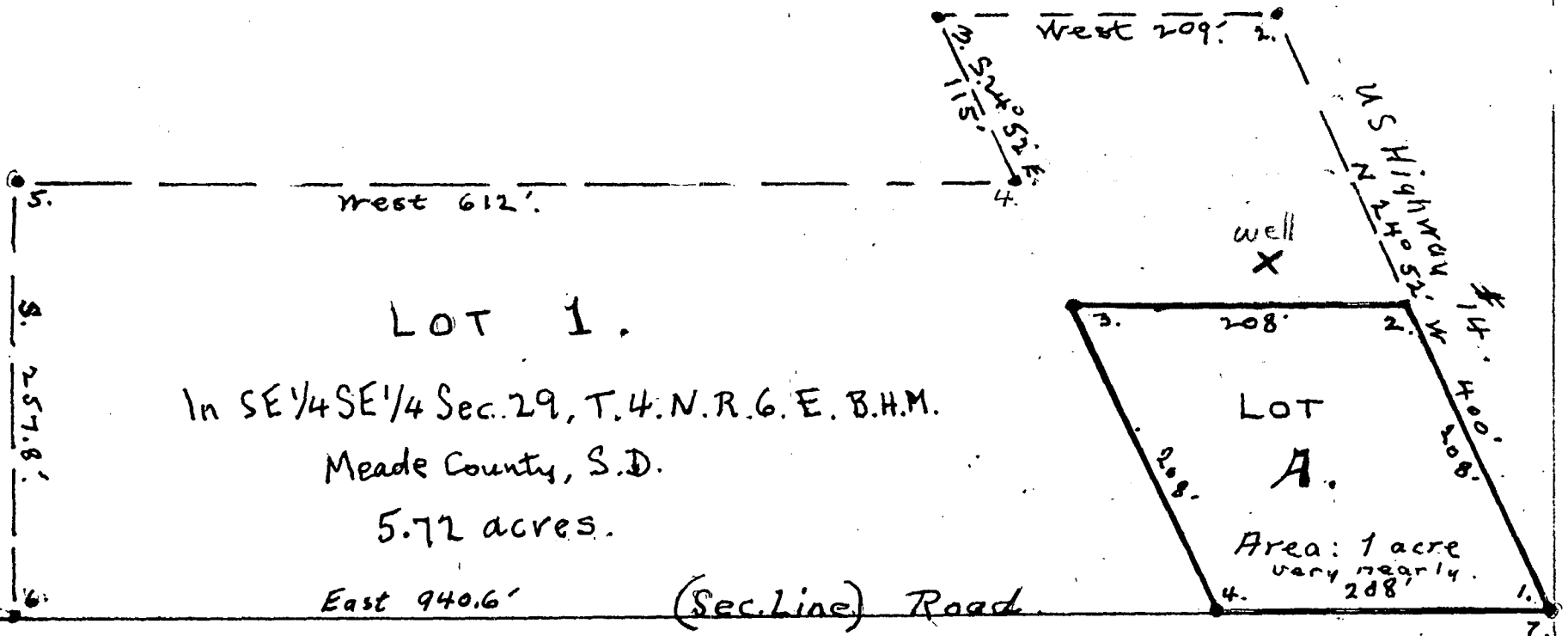


I hereby certify that all tax now due on this land has been paid. Date June, 14, 1946.

W. Jones
Meade County Treasurer

Subscribed and sworn to before this 14th day of June, 1946.

E. H. Farnsworth
Notary Public



Sec. 32.

Scale = 100 ft - 1 inch.

.. M A P O F ...

Lot A, a portion of Lot 1, in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 29, of Twp. 4 N., Rge 6 E.B.H.M. in Meade County, S. D.

Commencing at Corner 1 of Lot A, a point West 747.5 ft from the Sec. Cor. common to Sections 28-29-32-33, of T. 4 N. R. 6 E. B.H.M., - thence from said cor. 1, N. 24°52' W. 208 ft. to Cor. 2.- thence West 208 ft. to Cor. 3; thence S. 24°52' E. 208 ft. to Cor. 4; thence East 208 ft. to Cor. 1, the place of beginning, containing an area of 1. acre, very nearly.

The Lot 1, as shown hereon is of record in Plat Book 2, on Page 184, in the office of the Register of Deeds for Meade County, S.Dak.

Certificate of Survey

I, LeRoy T. Leach, a duly registered land surveyor of South Dakota, hereby certify that at request of owner, I did, on May 25, 1946, survey and plat Lot A, as above shown, and that the plat of same as made from my survey, is correct.

LeRoy T. Leach

Registered Land Surveyor.
County Surveyor of Meade Co.

State of South Dakota) ss
County of Meade.....)

On this 3rd day of June 1946, before me a Notary Public in and for said State and County, personally appeared LeRoy T. Leach, known to me to be the person who executed the within instrument, and acknowledged to me that he executed the same.

John T. Milk
Notary Public.

STATE OF SOUTH DAKOTA, COUNTY OF MEADE - SS.
Filed this 14th day of June 1946 at 5 o'clock P.M. Book 2 Page 210
FEE \$7.00
REGISTER OF DEEDS
DEPUTY

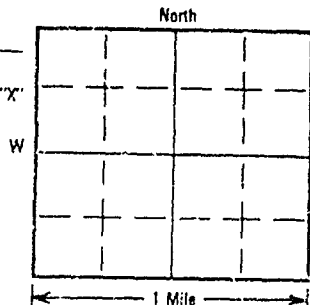
PB. 2 pg. 210

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location S 1/2 SE 1/4 Sec 29 Twp 4 Rg 6NCounty Meade

Please mark well location with an "X"

Well Completion Date 5-3-97

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 110 ft. from Septic (identify source).

PROPOSED USE:

☒ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Rotary Air-Water

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200 LB/FT</u>	<u>5 IN</u>	<u>0 FT</u>	<u>290 FT</u>	<u>7 7/8 IN</u>
<u>Sch 40 LB/FT</u>	<u>3 IN</u>	<u>280 FT</u>	<u>400 FT</u>	<u>7 7/8 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Set and</u>	<u>60</u>	<u>946 lb/gal</u>	<u>0 ft</u>	<u>290 ft</u>
_____	_____	_____ lb/gal	_____ ft	_____ ft

Describe grouting procedure Pressure grout thru casing with mud pump to surface with fresh water.

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____" Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☒ YES ☐ NOIf so, what material? Neoprene 3x5"Describe packer(s) and location? on 3" @ 280'

DISINFECTION:

Was well disinfected upon completion? ☒ YES, How: Chlorine
☐ NO, Why Not? Pellets

Laboratory sent to for water quality analysis Maxim StateWell Owner: DENNIS HARRIS

Business Name: _____

Address: HC 80 Box 829
Piedmont S.D. 57769

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Gravel</u>	<u>0'</u>	<u>25'</u>
<u>Sandy Red Shale</u>	<u>25'</u>	<u>80'</u>
<u>Red Shale & S. Stone</u>	<u>80'</u>	<u>165'</u>
<u>(Spearfish Fm)</u>		
<u>Limestone</u>	<u>165'</u>	<u>205'</u>
<u>(Minnekahta)</u>		
<u>Red shale & S. Stone</u>	<u>205'</u>	<u>320'</u>
<u>(Opelche)</u>		
<u>White, Yellow & Red S. Stone</u>	<u>320'</u>	<u>400'</u>

STATIC WATER LEVEL

If flowing: closed in pressure _____ PSI

GPM flow 20 through 1" one inch pipeControlled by ☒ Valve ☐ Reducers ☐ Other _____Reduced Flowrate 10 GPM GPMCan well be completely shut in? Yes

WELL TEST DATA:

☐ Pumped Describe: Air developed☐ Bailed _____☒ Other _____

Pumping Level Below Land Surface

400 ft. After 2 Hrs. pumped 50-60 GPM200 ft. After 2 Hrs. pumped 30-40 GPMIf pump installed, pump rate 16 GPM @ 110' GPM

REMARKS

Casing got hung, gravel rocks caved in.5" To 290'3" Line 280'-400'
w packerThis well was drilled under license # 568

And this report is true and accurate.

Drilling firm CIMARRON Drilling

Signature of License Representative:

Michael J. Dauter

Signature of Well Owner or Equitable Property Holder:

Date:


 LAB NUMBER: D4811

Date Collected: 5/28/97	Job #: 4217-70-5839
Collected By: Dennis Harris	Water Supply: WELL 4
Report Mailed to:	City, County: PIEDMONT, MEADE
DENNIS HARRIS	Source Sampled: Well# <u>X</u> Depth <u>400'</u>
HC 80 BOX 829	Date Drilled <u>5/4/97</u> Other _____
PIEDMONT, SD 57769	Type of Sample: Raw ___ Treated ___ Composite ___
	Treatment Process(s):
Lat: _____ Long: _____	
Received By Lab: 5/28/97	Comments:
Report Sent By Lab: 6/3/97 <i>Hum / Subbrook</i>	

Parameter	Maximum Limit	Results	Parameter	Suggested	Results
Arsenic (As)	50 ug/l		Chloride (Cl)	250 mg/l	
Barium (Ba)	2000 ug/l		Iron (Fe)	0.3 mg/l	
Cadmium (Cd)	5 ug/l		Manganese (Mn)	0.05 mg/l	
Chromium (Cr)	50 ug/l		Sulfate (SO ₄)	250 mg/l	9
Mercury (Hg)	2 ug/l		Tot. Diss. Solids (TDS)	500 mg/l	
Nitrate (NO ₃)(as N)	10 mg/l	0.1	pH	6.5-8.5	
Selenium (Se)	50 ug/l		Alkalinity-M (Ca CO ₃)	mg/l	
Fluoride (F)	4.0 mg/l		Alkalinity-P (Ca CO ₃)	mg/l	
Antimony (Sb)	6 ug/l		Bicarbonate (HCO ₃)	mg/l	
Beryllium (Be)	4 ug/l		Carbonate (CO ₃)	mg/l	
Nickel (Ni)	100 ug/l		Spec. Cond. @ °C	umhos/cm	360
Thallium (Tl)	2 ug/l		Calcium (Ca)	mg/l	
Nitrite (NO ₂)(as N)	1 mg/l		Magnesium (Mg)	mg/l	
Gross alpha	15 pCi/l		Hardness (CaCO ₃) gpg:2.9	mg/l	50
Gross radium	pCi/l		Langelier Index		
Radium 226	5 pCi/l		Sodium (Na)	mg/l	1
Lead (Pb)	15 ug/l		Potassium (K)	mg/l	
Silver	50 ug/l		Field Temperature	°F	°C

LAB COMMENTS:

Percentage of Error:

WNR - 606R - 6/82

mg/l = milligrams/liter = parts/million (ppm)

ug/l = micrograms/liter = parts/billion (ppb)

gpg = grains per gallon

pCi/l - picocuries per liter



Maxim Technologies, Inc.
P.O. Box 6703
Rapid City, South Dakota 57709
(605) 341-7284

Engineering & Environmental Consultants

revised 3/94

Job #

RESULTS OF TESTING (DO NOT WRITE IN THIS SPACE)

☒ Bacteriologically safe at the time of sampling.

☐ Bacteriologically unsafe for drinking or washing uncooked foods.

☐ Bacteriologically unsafe for swimming.

☐ Send repeat samples. See #6 on reverse side for repeat sampling instructions.

FILL IN NAME AND ADDRESS OF PERSON TO RECEIVE REPORT

Name Dennis Harris

Street or RFD Hc 80 Box 829

City Piedmont SD Zip Code 57769

Phone Number 757-6360 EPA ID Number

PLEASE PRINT CLEARLY

(Sampling instructions on reverse side)

WATER SUPPLIES ONLY

Name of water supply: Well

Sample Collector: Harris

Date collected: 7-7-97 Time: 9 AM

Type of Supply: Public Other

Source: Lake Stream Reservoir (Well) Spring Gallery

Location of sample site: Well Head

Sample site number: (Public Supplies)

Purpose of Sample (specify): Routine

Repeat of Unsafe Sample

Chlorine residual: _____ ppm

pH: _____

CIRCLE ONE

SWIMMING POOL SPA BEACH

Remarks:

TOTAL COLIFORM		FECAL COLIFORM		MEMBRANE FILTER	
Present	Absent	Present	Absent	Bacteria Count	TOTAL COLIFORM
				_____ per 100 mL	_____
				Bacteria Count	FECAL COLIFORM
				_____ per 100 mL	_____

Nitrite: _____ ppm

NITRATE-NITROGEN: _____ ppm

() Nitrate content not of concern.

(Maximum level is 10 ppm.)

() High Nitrate. Do not use for infants

up to 6 months of age.

Date Received 7-7-97

Date Reported 7-9-97

Lab No. 16153

1010



TECHNOLOGIES INC

Maxim Technologies, Inc.
P.O. Box 6703
Rapid City, South Dakota 57709
(605) 341-7284

revised 7/96

Job #

RESULTS OF TESTING (DO NOT WRITE IN THIS SPACE)

- ☐ Bacteriologically safe at the time of sampling
- ☐ Bacteriologically unsafe for drinking or washing uncooked foods.
- ☐ Bacteriologically unsafe for swimming
- ☐ Send repeat samples. See #6 on reverse side for repeat sampling instructions

FILL IN NAME AND ADDRESS OF PERSON TO RECEIVE REPORT

Name _____

Street or RFD _____

City _____ State _____ Zip Code _____

Phone Number _____ EPA ID Number _____

PLEASE PRINT CLEARLY

(Sampling instructions on reverse side)

WATER SUPPLIES ONLY

Name of Water Supply: _____

Sample Collector: _____

Date Collected: _____ Time: _____

Type of Supply: Public Other

Source: Lake Stream Reservoir Well Spring Gallery

Location of Sample Site: _____

Sample Site Number: (Public Supplies)

Purpose of Sample (specify): Routine

Repeat of Unsafe Sample

Remarks: _____

CIRCLE ONE

SWIMMING POOL SPA BEACH

TOTAL COLIFORM		FECAL COLIFORM		MEMBRANE FILTER	
Present	Absent	Present	Absent	Bacteria Count	TOTAL COLIFORM
				_____ per 100 ml	_____
				Bacteria Count <td>FECAL COLIFORM</td>	FECAL COLIFORM
				_____ per 100 ml	_____

Nitrite: _____ ppm

NITRATE-NITROGEN: _____ ppm

() Nitrate content not of concern.

(Maximum level is 10 ppm.)

() High Nitrate. Do not use for

infants up to 6 month of age

Date Received

Date Reported

Lab No.





Jerry Casteel
Auctioneer/Broker-Owner

605-347-5110
Fax 347-6680
1010 Ballpark Rd. - Suite 9
Sturgis, South Dakota 57785

4/2/99.

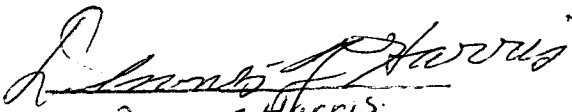


RE: Dennis Harris:

I Jerry Casteel of Casteel Auction & Real Estate currently have Mr Harris property listed for sale:

Legal off Deed = Located in Lot One in $SE\frac{1}{4}SE\frac{1}{4}$ of Section 29. Township 4 Range 6 East of Black Hills meridian Meade County SD As shown by plat recorded in plat book 2 on page 184. Less Lot A and Lot A ^{Lot 1} Located in $SE\frac{1}{4}SE\frac{1}{4}$, Section 29 Township 4 Range 6 East of Black Hills meridian Meade County South Dakota. as shown by the plat recorded in plat book 2 page 210 Located in Meade County register of Deed: --

Mr Harris has measured From center of Service road to well location, This measurement was 165 feet; Mr Harris measured From Gravel road on south side of property to well location, This measurement was 270 feet; please let me know if these are the Legals required:


Dennis J. Harris


Notary Jerry Casteel

Commission Expires
7-27-2004



JERRY CASTEEL
Auctioneer/Broker-Owner
1010 Ballpark Rd. - Suite 9
Sturgis, SD 57785



WARRANTY DEED

BOOK 479 PAGE 259

THOMAS PRESTON BARKET and KATHERINE ANN BARKET, Husband and Wife, Grantors, of Beadle County, State of South Dakota, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, GRANT, CONVEY AND WARRANT, to DENNIS J. HARRIS and ARVETTA J. HARRIS, Husband and Wife, as joint tenants with right of survivorship, Grantees of P. O. Box 873, Sturgis, SD 57785, the following-described real estate in the County of Meade, in the State of South Dakota:

Lot 1 in the South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 29, Township 4 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota, as shown by the Plat recorded in Plat Book 2, on Page 184, less Lot A; and,

Lot A, located in Lot 1 in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 29, Township 4 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota, as shown by the Plat recorded in Plat Book 2, on Page 210, subject to easements, reservations, restrictions and covenants of record.

SOUTH DAKOTA STATE TRANSFER FEE: \$46.00.

Dated this 23rd day of January, 1995.

66# 8707
☒ TRANSFER FEE PAID \$ 46.00
☐ EXEMPT FROM TRANSFER FEE

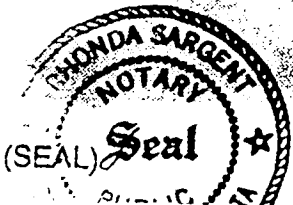
Thomas Preston Barket
THOMAS PRESTON BARKET

Katherine Ann Barket
KATHERINE ANN BARKET

STATE OF SOUTH DAKOTA)

COUNTY OF Beadle)

On this 23rd day of January, 1995 before me a Notary Public within and for said County and State, personally appeared THOMAS PRESTON BARKET and KATHERINE ANN BARKET, known to me to be the persons who are described in and who executed the within and foregoing instrument and they acknowledged to me that they executed the same for the purposes therein contained.



Rhonda Sargent
NOTARY PUBLIC
Commission Exp.: 4-16-99

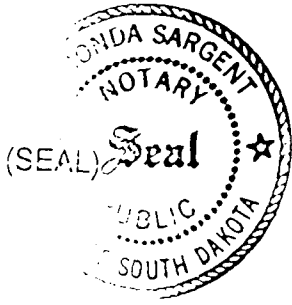


Thomas Preston Barket
THOMAS PRESTON BARKET

Katherine Ann Barket
KATHERINE ANN BARKET

STATE OF SOUTH DAKOTA)
COUNTY OF Beauregard

On this 23rd day of January, 1995 before me a Notary Public within and for said County and State, personally appeared THOMAS PRESTON BARKET and KATHERINE ANN BARKET, known to me to be the persons who are described in and who executed the within and foregoing instrument and they acknowledged to me that they executed the same for the purposes therein contained.



[Signature]
NOTARY PUBLIC
Commission Exp. Jan 1, 1997



PREPARED BY:
Dale R. Hansen
HANSEN & HUBBARD
P. O. Box 580
Sturgis, SD 57785
(605) 347-2551

DOC. NO. 00220-CV
BOOK 479 PAGE 259
FEE \$5.00 pd ck #8707
DATE Jan 27, 1995
TIME 1:35 PM
ANGELA M. ROSS
MEADE COUNTY
REGISTER OF DEEDS





April 19, 1999

Meade County File

Dennis and Arvetta Harris
HC 80, Box 829
Piedmont SD 57769



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dear Mr. and Mrs. Harris:

The Department of Environment and Natural Resources (DENR) has received the description of the onsite wastewater system that will serve the temporary campground at your property located near Piedmont, South Dakota. The system has been reviewed for compliance with South Dakota's "Individual and Small Onsite Wastewater Systems" regulations.

The current system consists of a steel holding tank for graywater and portable toilets for the bathroom waste. Your proposal is to remove the steel tank and replace it with multiple concrete septic tanks with a total volume of three-thousand gallons capacity. You have also proposed to install three flush toilets rather than rely upon portable privies. Since this is a temporary campground, the DENR will allow 2 days storage capacity in the holding tank. However, the holding tanks should be pumped daily by a commercial pumper. The final holding tank in the series should have a float alarm indicator installed which demonstrates the depth of wastewater in the tank.

The proposed improvements meet the minimum regulatory requirements and is hereby approved. The lifetime of the system is dependent upon proper construction and maintenance.

If you have any questions or comments, please feel free to contact this office at (605) 773-3351.

Sincerely,

Raymond F. Birchem, P.E.
Staff Engineer
Division of Environmental Services

Cc: Arvid Meland, Meade County Planning & Zoning
Ron Duvall, Water Rights Program
Rich Hanson, Surface Water Quality Program

to Whom it may Concern

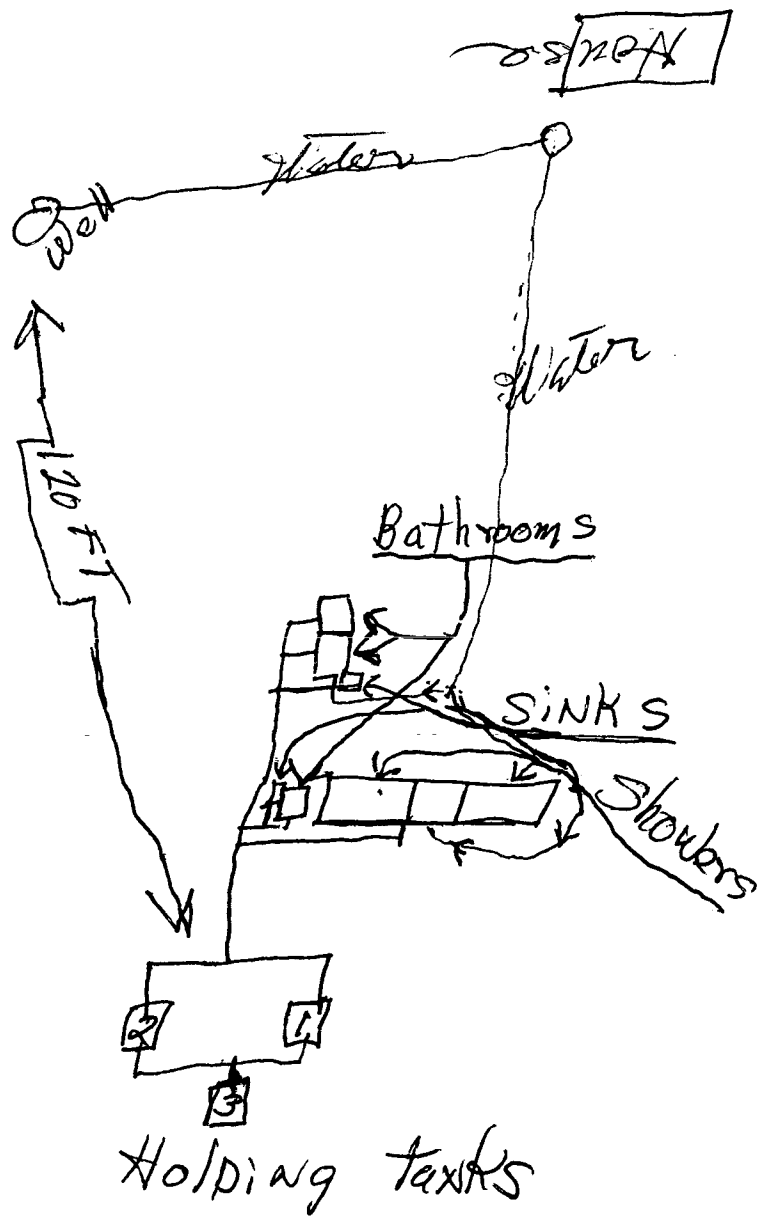
We are planning to put in 3 Concrete
Holding Tanks of 1000 each
Starting 4/19/99 Done by Licensed
Plumber - Removing steel tank
Now in place

Plumber is David Bies
Piedmont SD 57769

Dennis & Hvetta Harris
Dennis Harris

Bethlehem Road

Bethlehem Lane Road



Checksheet for Individual and Small On-site Wastewater Systems

Establishment: Campground (Temporary) County: Meade
 Owner: Dennis + Arvette Harris Legal Description: SE 1/4 SE 1/4 29, T4N R6E
 Address: HC 80 Box 829 Phone: 787-6265
 City: Piedmont State: SD Zip Code: 57769
 Type of Facility being served: Temporary campground (open for 15 days)
 Additional Info. (seating capacity, # bedrooms, etc.): 12 campsites (50 people max)

Garbage Disposal present? Yes _____ No X
 Anticipated Maximum Daily Flow: 1500 gpd
 Average Percolation Rate: N/A Holding Tanks only, e
 Required Absorption Area: N/A

Is it greater than 1,200 square feet? NO YES (YES requires dosing system)
 Is it greater than 1,800 square feet? NO YES (YES requires alternately dosed system).

Date of construction: 1996
 Lot size (square feet or acres): 4 acres
 Depth from surface to groundwater or bedrock: 60' - 70'
 Depth of drinking water well: Malison Formation 400'

SEPARATION DISTANCE FROM:	Septic Tank	Absorption Area
Wells, cisterns, reservoirs:	<u>Holding 125'</u>	<u>N/A</u>
Lakes, streams, impoundments:	<u>1/4 mile</u>	<u>N/A</u>
Pressurized water lines:	<u>25'</u>	<u>N/A</u>
Dwelling, occupied building:	<u>125'</u>	<u>N/A</u>
Property lines:	<u>100'</u>	<u>N/A</u>

SEPTIC TANK INFORMATION:

Material: Concrete Plastic Fiberglass Other _____
 Number of compartments or tanks: 3 - 1,000 gallon tanks or 2 - 1500 gal tanks
 Liquid capacity: _____
 Required capacity: 1500 gals x 2 days storage

ABSORPTION AREA DETAILS:

<u>Trench System</u>	<u>Seepage Bed</u>
Trench width: _____	(perc. rates 5-30 min per inch)
Length: _____	Length: _____
Depth: _____	Depth: _____
Number of Trenches: _____	Width: _____
Distance between trenches: _____	Size of fill material: _____
Depth of fill material under pipes: _____	
Size of fill material: _____	
TOTAL ABSORPTION AREA: _____	TOTAL ABSORP. AREA: _____

* Drainfield may not slope more than 4"/100'. Seepage beds must be level. Also include a sketch or drawing that shows the layout of the system, lot lines, buildings, streets, wells, surface water, etc. Show all distances and dimensions. Include cross section of the absorption system.

ROSE'S SANITATION
2138 BALDWIN
STURGIS, SD 57785-2411

605/347-4478
1-800-292-8393

5040
DENNIS & ARVETTA HARRIS
HC 80, BOX 829
PIEDMONT, SD 57769

APRIL 19, 1999

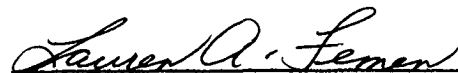
TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN THAT ROSE'S SANITATION
PUMPS AND SERVICES ALL TOILETS, GRAY WATER TANKS
AND THE HOUSE SEPTIC AT THE HARRIS RESIDENCE IN
RURAL PIEDMONT. WE HAVE DONE THIS SINCE 1995.

IF FURTHER INFORMATION IS NEEDED JUST CONTACT
MAXINE AT ROSE'S SANITATION. THANK YOU

"THANK YOU AGAIN"
SINCERELY YOURS,


MAXINE J. ROSE
BOOKKEEPER/SECRETARY


NOTARY

My Commission Expires 8-1-99

CC: DENNIS & STATE WATER

WATER PERMIT APPLICATION NO. 1683-1
DENNIS & ARVETTA HARRIS
MAY 3, 1999

Water Permit Application No. 1683-1 proposes to appropriate 0.044 cubic feet of water per second (20 gallons per minute) from one well 400 feet deep (Minnelusa Formation) located in the SE ¼ SW ¼ Section 29, T4N-R6E. The water is for commercial use at a campground and for domestic use.

AQUIFER: Minnelusa Aquifer (MNLS)

GENERAL:

The Minnelusa Aquifer is an assemblage of alternating beds of sandstone and dolomitic limestone with lesser amounts of red and black shale and chert approximately 450 feet thick in this area (Water Rights, 1999). Because the lithology of the Minnelusa is so variable, the porosity of the formation is also variable and difficult to determine. Well sorted sand lenses have porosity's approaching 25%, but generally the sands have porosity's of 10%. The average porosity of the Minnelusa is estimated to be 10% and the effective porosity is assumed to be 5% (Rahn, 1979). The Minnelusa formation underlies approximately 2,172,800 acres of Meade County and contains an estimated 81,480,000 acre-feet of recoverable water in storage (Allen, 1984). The aquifer is areally extensive around the Black Hills and is hydraulically connected into the counties surrounding Meade County. Ground water movement is probably toward the north and east. There is no aquifer-test data available for the Minnelusa Aquifer at this site; therefore, the aquifer transmissivity and storage coefficient values are unknown. Estimates from regional studies of the aquifer indicate the aquifer transmissivity may range from 30 to 1000 ft²/d, and the storage coefficient ranges from 6.6×10^{-5} to 2×10^{-4} (Kyllonen, 1987). The top of the Minnelusa is reported to be 320 feet below ground surface on the completion report that accompanies this application. The report indicates the well has a shut in pressure of 3 psi (6.9' above grade), produces 50-60 gpm when air developed and free flows 20 gallons per minute.

WATER AVAILABILITY:

The Water Rights Program monitors 23 observation wells completed into the Minnelusa aquifer in the Black Hills area. Water Rights Observation Well MD-84B is located approximately 2 miles north of this well site. The hydrograph for the well (see figure 1), is fairly typical for the Minnelusa Aquifer. That is, the water levels reach their peak in the early summer each year and gradually decline until spring. The majority of the recharge to the system occurs between March and July.

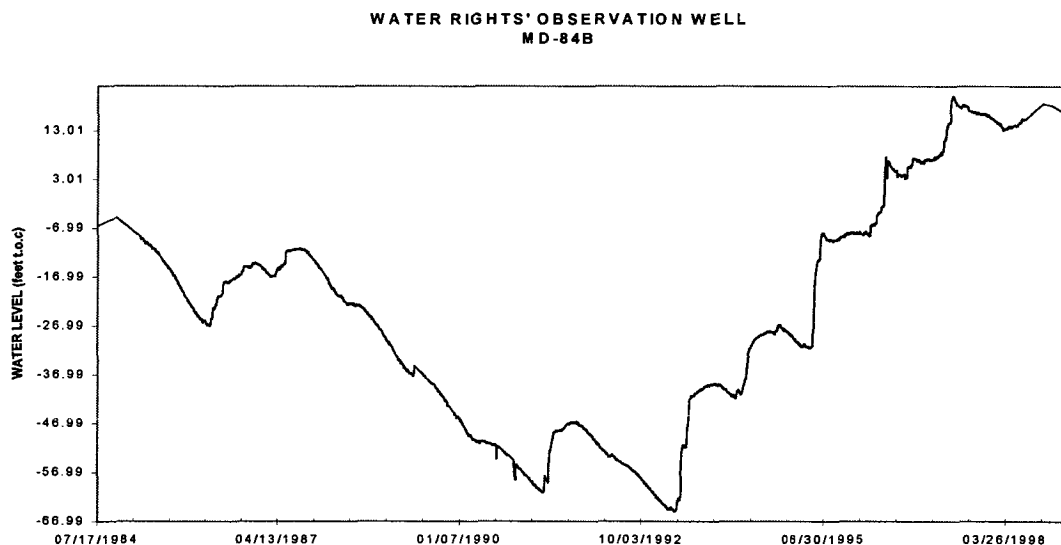


Figure 1, Minnelusa Aquifer Observation Well, Two-Miles North of 1683-1

The hydrograph also shows the magnitude of fluctuation in the water levels in the area (>83') with the lowest water level on record occurring in 1993 and the highest occurring in 1997. It is interesting to note on this hydrograph two brief periods in November 1990 when 3-5' of drawdown was measured on this well while the Minnelusa was essentially "being pumped" while drilling a Madison Observation well approximately 20' away.

Water Rights' Observation well MD-84A is located approximately 3.5 miles south of this well site. A hydrograph for this observation well shows (figure 2) a natural fluctuation of 31 feet between the highest water level recorded (12/01/98) and the lowest water level recorded (4/13/93). The hydrograph also shows 12-13' of drawdown at the observation well on August 23, 1994, which was the result of withdrawals from the Minnelusa aquifer during the installation of a Madison Observation well approximately 20 feet away.

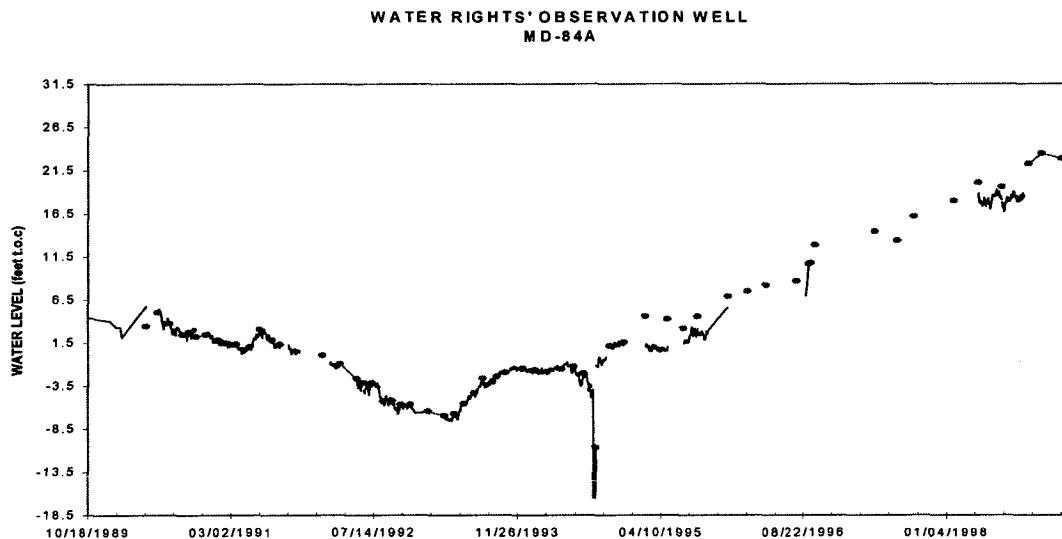


Figure 2. Minnelusa Aquifer Observation Well, Three and one half -Miles South of 1683-1

It is obvious from the hydrographs that withdrawals have not exceeded recharge for the period of record. The observation well data suggests that at the existing level of development, the aquifer is capable of sustaining additional withdrawals.

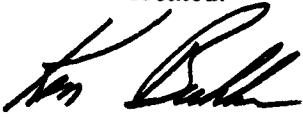
AFFECTS ON EXISTING RIGHTS:

There are 155 Water Rights/Permits that appropriate water from the Minnelusa Aquifer in South Dakota (Water Rights, 1999). There are 42 permits/rights appropriating water from the Minnelusa aquifer in Meade County (Water Rights, 1999), where the aquifer is used primarily for suburban housing development, commercial, municipal and irrigation use. There are a number of domestic wells completed into the Minnelusa Aquifer on file with the Water Rights Program (Water Rights, 1999).

The nearest permit appropriating groundwater (No. 1559-1, SD Dept of Transportation) is located approximately one mile north of this well. The well that supplies this permit is actually completed into the Opeche Shale but more than likely, the water source is the Minnelusa. The nearest Permits supplied from the Minnelusa Aquifer (842-1, Robert Phelps; and 843-1 Lavern Wilburn) are located over two and one half miles south of this well. Any well interference this proposed use would have on these or other water rights/permits is not expected to be adverse due to the distance between wells, and the relatively low diversion rate requested by this application.

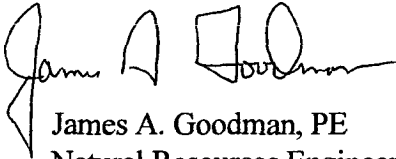
CONCLUSIONS:

1. The Minnelusa Aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. The Minnelusa is under artesian conditions and drawdown due to this diversion can be expected. This drawdown is not expected to adversely affect adequate wells in the area.
3. The effluent from this temporary campground will be disposed of through holding tanks pumped daily by a commercial pumper. The effluent from the domestic use will be disposed of through a septic tank with drain field.
4. The Completion Report submitted with this application indicates the existing well has been constructed in compliance with the SD Well Construction Standards.
5. A map showing the location of this well in relation to a section corner is not available for this application as required by ARSD 74:02:01:07, the map does provide the legal description where the campground is located.



Ken Buhler
Natural Resources Engineer

Approved by



James A. Goodman, PE
Natural Resources Engineer

REFERENCES:

Allen, J.C., D.Iles, A.Petres, 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Task 3 & 4: Groundwater Resources Inventory, US Army Corps of Engineers Contract DAWC 45-82-C-015, SD DENR-Division of Geological Survey, Vermillion SD

Kyllonen, D.P., K. Peter, 1987, GeoHydrology and Water Quality of the Inyan Kara, Minnelusa, and Madison Aquifers of the Northern Black Hills, South Dakota and Wyoming, and Bear Lodge Mountains, Wyoming, U.S. Geological Survey, Water Resources Investigations Report 86-4158, Rapid City, SD

Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, US Army Corps of Engineers, Draft Report-Final

Water Rights Program₁, 1999, "Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD

Water Rights Program₂, 1999, "Water Permit Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD

Water Rights Program₃, 1999, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1683-1, Dennis and Arvetta Harris**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 1683-1, Dennis and Arvetta Harris, HC 80 Box 829, Piedmont SD 57769.

The Chief Engineer is recommending APPROVAL of Application No. 1683-1 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:

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.

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
May 12, 1999



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

May 13, 1999

Dennis & Arvetta Harris
HC 80, Box 829
Piedmont, SD 57769

Dear Mr. and Ms. Harris:

Water Permit Application No. 1683-1 for commercial and domestic 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 # (605) 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
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
www.state.sd.us/denr

May 13, 1999

Meade Co. Times Tribune
Box 69
Sturgis, SD 57785-0069

ATTENTION: Legal Public Notice

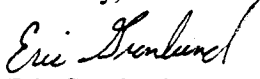
Enclosed is a Notice of Hearing on Application No. 1683-1 to Appropriate Water to be published twice. Please publish the first notice on May 19, 1999, with the second publication 7 days later.

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 Denis & Arvetta Harris, HC 80, Box 829, Piedmont, SD 57769 (Ph # (605) 787-6265).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

No. 1683-1

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

Date _____

We are in receipt of your letter of May 13, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 1683-1 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 19, 1999, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1683-1 to Appropriate Water

Notice is given that Dennis & Arvetta Harris, HC 80, Box 829, Piedmont, SD 57769 have filed an application for a water permit to appropriate 0.044 cubic feet of water per second (20 gallons per minute) from one well (Minnelusa Formation) 400 feet deep located in the SE ¼ SE ¼ Section 29-T4N-R6E. The water is for commercial use at a campground and for domestic use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1683-1 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 June 7, 1999.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
 County of meade)

I, Joan Lewis

certify that the attached printed Notice was taken

from the Meade County Times

printed and published in Sturgis

County of meade and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

May 19, 1999

May 26, 1999

Cost of Printing 35.60

Joan M. Lewis
 (Signature)

Bookkeeper
 (Title)

6/2/99
 (Date Signed)

Appropriate water**NOTICE OF APPLICATION****NO. 1683-1 to Appropriate Water**

Notice is given that Dennis & Arvetta Harris, HC 80, Box 829, Piedmont, SD 57769 have filed an application for a water permit to appropriate 0.044 cubic feet of water per second (20 gallons per minute) from one well (Minnelusa Formation) 400 feet deep located in the SE 1/4 SE 1/4 Section 29-T4N- R6E. The water is for commercial use at a campground and for domestic use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1683- 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Publ May 19 and 26, 1999
Meade County Times-Tribune





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 15 1999

Dennis & Arvetta Harris
HC 80 Box 829
Piedmont SD 57769

Dear Mr. & Mrs. Harris:

Enclosed is Water Permit No. 1683-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

A Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An information sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Very truly yours,

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

enclosures

NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Date June 27-1999

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Dennis & Arvella Harris
(name)

Hc 80 Box 829
(address)

Piedmont SD 57769 605-787-6265
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 1683-1 states that the water use system is to be constructed by

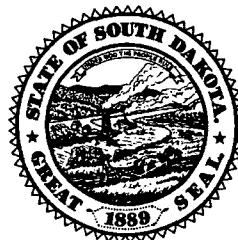
June 27-99 (date), and water is to be put to beneficial use by June 27-99 (date).

The water use system was completed on June 27 1999 (date).

Applying the water to beneficial use was completed on June 27-1999 (date).

You may schedule an investigation so that the water license may be issued.

Dennis G. Harris
(signature)



Permit No. 1683-1
Upper Cheyenne - 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 **Dennis & Arvetta Harris** of **HC 80 Box 829, Piedmont SD 57769** holder of Permit No. **1683-1**, bearing the priority of **April 5, 1999** authorizing the diversion of **0.044** cu. ft. per second of the waters of **Minnelusa Formation** for **commercial and domestic** purposes, in **Meade** County.

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

A. Works used to divert the water:

Motor\Pump:

- 1) Make **unknown submersible**
- 2) Size **3/4 hp**
- 3) Capacity **20** GPM

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

Water is pumped to an 80 gallon tank and is used to serve sanitary and shower facilities for 16 to 18 campground units.

The system is in the following condition **good**. The point of diversion is located **Well: 1,135 feet W and 200 feet N from the SE corner section 29-T4N-R6E (SE¼SE¼)**. The works are capable of diverting and conveying to the place of use **0.044** cu. ft. per second of water which is to be used for **commercial and domestic purposes**. Water has been put to beneficial use to the maximum extent and the license should be issued for **0.044** 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

FIELD INVESTIGATION REPORT FOR PERMIT NO. 1683-1

DATE OF INVESTIGATION	July 12, 1999
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Dennis Harris
NAME & ADDRESS OF PERMIT HOLDER	Dennis & Arvetta Harris HC 80 Box 829 Piedmont SD 57769
DIVERSION POINT LEGAL LOCATION	Well: 1,135 feet W and 200 feet N from the SE corner section 29-T4N-R6E (SE$\frac{1}{4}$SE$\frac{1}{4}$)

Other permit(s) associated with the project: none

WELL INFORMATION:

1) Well Drilling Firm: Cimarron Drilling

Screen:

2) No. of Wells 1

1) Type none

3) Depth(s) 400 feet

4) Well log is available Y

Motor\Pump:

Casing:

1) Make unknown submersible

1) Diameter 5 & 3 inches

2) Size 3/4 hp

2) Type Plastic

3) Capacity 20 GPM

DISTRIBUTION LINES OR CANALS:

Water is pumped to an 80 gallon tank and is used to serve sanitary and shower facilities for 16 to 18 campground units.

PERMIT QUALIFICATIONS:

1) Special qualifications to permit being abided by Y

2) All structures, wells and lands on map Y

1000 0 1000 Feet



Final inspection map for Water Right No. 1683-1,
Dennis & Arvetta Harris



Ron Duvall, Nat Res Engineer

7/21/99

Water Right No. 1683-1

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1683-1

(1) Dennis & Arvetta Harris, HC 80 Box 829, Piedmont, SD 57769 made Application No. 1683-1, April 5, 1999 for a water permit to divert 0.044 cubic feet of water per second from ground water (one well – Minnelusa Formation), Meade County, South Dakota for commercial and domestic purposes. Permit No. 1683-1, with a priority date of April 5, 1999 was approved June 7, 1999 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before June 7, 2004 and for the application to beneficial use of said water on or before June 7, 2008.

The permit holders submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" which indicated the system was completed and water placed to beneficial use on June 27, 1999.

(2) It is certified that the permit holders have 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 0.044 cubic feet of water per second for beneficial use. The location of the diversion point is 1,135 feet W and 200 feet N of the SE corner of Section 29, T4N, R6E (SE ¼ SE ¼).

(3) The permit holders 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 Dennis & Arvetta Harris, HC 80 Box 829, Piedmont, SD 57769 the holders and/or owners of Water Right No. 1683-1 are issued a license to appropriate water, the right to use 0.044 cubic feet of water per second from ground water (one well – Minnelusa Formation) with a priority date of April 5, 1999 from the location specified in (2) of this license. The water is used for domestic use and commercial purposes at a campground. This license is subject to any limitations or qualifications listed in Water Right No. 1683-1 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

1683-1

Dennis & Arvetta Harris
HC 80, Box 829
Piedmont, SD 57769

Dear Mr. and Ms. Harris:

Enclosed is Water License No. 1683-1. This is the final water right document completing your process of obtaining a Water Right.

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. 1683-1, 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 18, 2001

1683-1

Kevin Johnson
11408 Midland Rd
Black Hawk, SD 57718

Dear Mr. Johnson:

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with Water Right No. 1683-1. The water right, currently owned by Dennis and Arvetta Harris, authorizes diversion of ground water for domestic and commercial purposes at a campground.

Please review the form for accuracy and complete as needed. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please get in touch with me.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 2, 2001

SECOND NOTICE
1683-1

Kevin Johnson
11408 Midland Rd
Black Hawk, SD 57718

Dear Mr. Johnson:

On July 18, 2001, I forwarded a copy of Water Right No. 1683-1, currently held by Dennis and Arvetta Harris. The water right authorizes diversion of ground water for domestic and commercial purposes at a campground. Along with the July 18th letter, I included a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change.

Since we have not received the transfer form back from you, I am sending along another copy. Please review the form for accuracy and complete as needed. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If you are not the current owner or the water right should not be transferred and should remain listed in the names of Dennis and Arvetta Harris, please give me a call.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 19, 2001

Kevin Johnson
11408 Midland Rd.
Black Hawk, SD 57718

Dear Mr. Johnson:

I am returning the Notice of Transfer of Ownership and fee to you, for completion. The form must be notarized by a Notary Public.

Upon getting the form notarized, please return the form and fee to our office for processing.

Thank you,

Glenda Marks
Water Rights
(605)773-3352

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1683-1

Date: 11/15/01

I\We request that Water Right No. 1683-1

formerly owned by: Dennis & Arvetta Harris, HC 80 Box 829, Piedmont, SD 57769

be transferred to: (name & address) Kevin Johnson 11408 Midland
Rd. Black Hawk S.D. 57718 Telephone No. (605)-787-9514

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

diversion point location: SE 1/4 SE 1/4 Section 29, T4N, R6E

I\We understand that the validity of Water Right No. 1683-1 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.

STATE OF SOUTH DAKOTA)

County of Meade)

I\We Kevin Johnson being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Kevin Johnson
(Signature of new owner)

Subscribed and sworn to before me this 15th day of November, 2001.

Stacy
(Notary Public)

My Commission Expires August 3, 2004

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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

№ 417043

Pierre, JANUARY 8, 2002

RECEIVED OF Kevin Johnson, 11408 Midland Rd., Black Hawk, SD 57788

the following amount in fees for services rendered as provided for by law: (Dennis & Arvetta Harris)

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. _____

Fee for Filing Transfer Form 1683-1

2 50

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Darland Erbe

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 8, 2002

1683-1

Kevin Johnson
11408 Midland Rd
Black Hawk, SD 57718

Dear Mr. Johnson:

Thank you for following up on the ownership change for Water Right No. 1683-1. The transfer has been completed. The water right formerly listed in the names of Dennis and Arvetta Harris is now listed your name.

Enclosed is your Receipt No. 417043 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date August 29, 2002

RECEIVED OF David and Melissa Rowe, 6505 Ries Rd., Black Hawk SD 57718

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 1683-1			
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. _____	2	50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____			
(Any Other Work Provided by Law)	TOTAL		
	2.50		

No.

000261

By

David E. Eide
Chief Engineer *gm*

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

AUG 29 2002

WATER RIGHTS
PROGRAM

No. _____

Date: 8/27/02

I/We request that Water Right/Permit No. 1683-1

formerly owned by: Kevin & Cheryl Johnson

be transferred to: (name & address) Dave & Melissa Rowe, 6505 Pils Road
Black Hawk, SD 57718 Telephone No. 605-782-5102

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

See attached Deed

I/We understand that the validity of Water Right/Permit No. 1683-1 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.

STATE OF SOUTH DAKOTA)

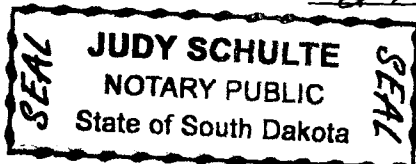
County of Beade)

I/We Dave Rowe being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Dave Rowe

(Signed by new owner)

Subscribed and sworn to before me this 27th day of August, 20 02



Judy A. Schulte
(Notary Public)

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.

NOTARY PUBLIC, STATE OF SOUTH DAKOTA
MY COMMISSION EXPIRES FEBRUARY 9, 2003

Prepared by:
Marya Vrooman Rogers
4519 Lookout Mt.
Rapid City, SD 57702
605-342-6432



DOC. NO. 03526-CV
BOOK 581 PAGE 853-854
FEE \$2.00 CB# 75875
DATE July 30, 2002
TIME 1 02:54 PM
ANGELA M. ROSS
MEADE COUNTY
REGISTER OF DEEDS

005862 JUL 12 02

WARRANTY DEED

MCTC 25596

BOOK 581 PAGE 853

KEVIN L. JOHNSON AND CHERYL JOHNSON, husband and wife,

Grantor(s), of Pennington County, South Dakota, for and in consideration of One Dollar (\$1), and other good and valuable consideration, grant(s), convey(s) and warrant(s) to MELISSA BETH ROWE AND DAVE ROWE, husband and wife as joint tenants with right of survivorship and not as tenants in common, Grantee(s) of 6505 Ries Road, Black Hawk, South Dakota 57718 the following described real estate in the county of Meade in the state of South Dakota:

Lot 1 in the S1/2SE1/4 of Section 29, Township 4 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota, as shown on the plat filed in Plat Book 2 on Page 184; EXCEPTING therefrom Lot A in Lot 1, as shown on the plat filed in Plat Book 2 on Page 210;

AND

CB# 76140
☒ TRANSFER FEE PAID \$ 162.00
☐ EXEMPT FROM TRANSFER FEE

Lot A, located in Lot 1 of the SE1/4SE1/4 of Section 29, Township 4 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota, as shown on the plat filed in Plat Book 2 on Page 210.

Excepting therefrom any highway rights of way.

Dated this 25 day of July, 2002.

GRANTOR(S):

Kevin L. Johnson
Kevin L. Johnson
Cheryl Johnson
Cheryl Johnson

State of South Dakota)
) ss
County of Pennington)

BOOK 581 PAGE 854

On this the 25th day of July 2002, before me,
Lana Petersen, the undersigned officer, personally appeared Kevin
L. Johnson and Cheryl Johnson, husband and wife, known to me or satisfactorily
proven to be the persons whose names are subscribed to the within instrument
and acknowledged that the same was executed for the purposes therein
contained.

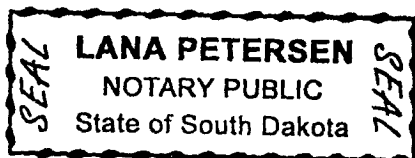
In witness whereof, I hereunto set my hand and official seal.

Lana Petersen

Notary Public

My Commission expires: 3/26/05

(SEAL)





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 29, 2002

1683-1

Dave & Melissa Rowe
6505 Ries Rd
Black Hawk SD 57718

Dear Mr. & Mrs. Rowe:

I am writing to acknowledge receipt your transfer of ownership for Water Right No. 1683-1. The transfer has been completed. The water right formerly listed in the name of Kevin Johnson is now listed your names.

In the event you do not already have a copy, I am enclosing a copy of the water permit, license and investigation report showing details of the water use system. You may keep these for your records.

Also enclosed is your Receipt No. 000261 in the amount of \$2.50. 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

enclosures