

WATER PERMIT NO. 1685-1

Name of Applicant: Thomas J Carter (Tilford Gulch Campground)

Address: HCR 80 Box 861-10, Piedmont SD 57769

Phone: 605 787-5573

Amount of Water Claimed: 0.089 cfs (40 gpm)

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial & domestic

County: Meade

Type of Waste Disposal System: cement holding tanks

Location: along I-90 about 3 miles north of Piedmont

PRIORITY

Date Received: 4-15-1999

Fee: \$50

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks: commercial use at the campground 14 days during the motorcycle rally

Diversion Point: SE ¼ SW ¼ (Lot B)

Section 20-T4N-R6E

Land to be Irrigated: NA

Depth of Well: 265 feet

Well Driller: Cimarron Drilling

Remarks:

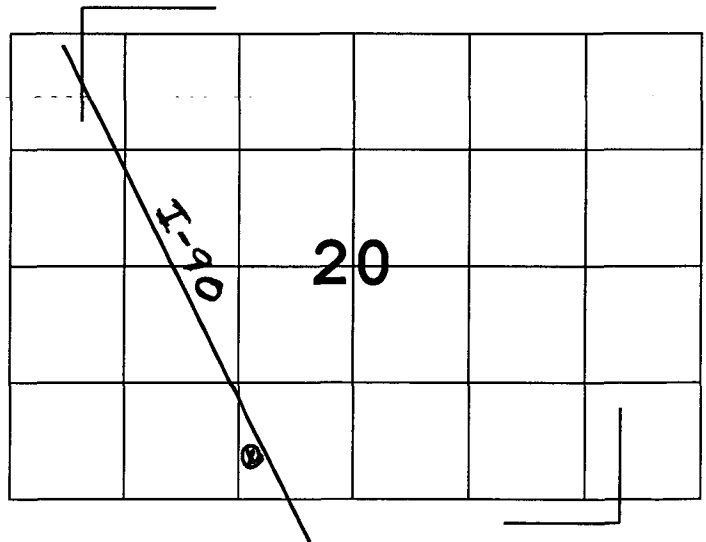
Type of Map: aerial & plat

Prepared by: Jerry J Wendland, RLS

Reviewed and the Number Assigned on: 4-15-1999

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 1685-1**

Date of first receipt of application April 15, 1999.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1685-1 to Tilford Gulch Campground, Thomas J Carter, HCR 80 Box 861-10, Piedmont SD 57769 authorizing the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1685-1 appropriates 0.089 cubic feet of water per second (40 gallons per minute) from one well (Minnelusa Formation) 265 feet deep located in the SE ¼ SW ¼ (Lot B) Section 20-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: June 1 – September 30 (commercial use) and January 1 – December 31 (domestic use).
4. The date of approval of Permit No. 1685-1 is June 14, 1999.
5. The date from which applicant may claim right is April 15, 1999.
6. 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, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 22 1999

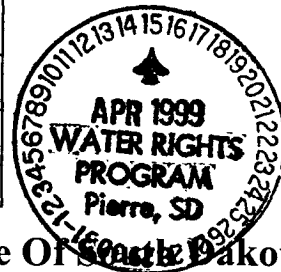
date



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

4/6/99

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1685-1</u>	(office use only) Hydrologic Unit <u>10/20/11</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	

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 Thomas J Carter (Tilford Gulch Campground) Phone 605-787-5573
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address HCR 80 Box 861-10 Piedmont State S.D 57769
(Street, RR. or Box) (Zip Code)
- Amount of water claimed 0.009 *CFS or 40 **GPM ***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 #1
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1 Well Lot B SE 1/4 OF SW 1/4 OF Section 20, T4N, R6E, B1M
County Meade
- County or counties where water will be used Meade June 1 - September 30 - Commercial
- Annual period during which water is to be used 14 days in August (7/21-8/4) - Domestic
- 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)
I got 5" well with 25 GPM To Supply Temporary Campground
only during Annual motorcycle Rally

STATE OF SOUTH DAKOTA) SS
County of MEADE

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)

I, Thomas J Carter, 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 Tom Carter

Subscribed and sworn to before me this 13th day of April 19 99

John C. Boylson
Notary Public

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 7/8 Depth 265 FT
b) Casing Type PVC Diameter 5 inch Thickness 1/4"
c) Screen Type NA Diameter NA Thickness NA
d) Gravel Pack Thickness NA Length of Gravel Pack NA
e) Depth to Top of Water Bearing Material 240 ft
f) Depth to Water (ground surface to water level) 0
g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others 1400ft

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Gray water Lagoon
b) System Capacity (gallons) 89760 gal. c) Year Constructed 1989
d) Connected to the City of _____ Sanitary System.

There is NO septic system on this property AT this time. IT IS pumped out OF Cement Holding TANKS AND HAULED AWAY during The Sturgis Rally

3. Dugout Information

- a) Surface Dimensions _____ Depth _____
b) 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.

- 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

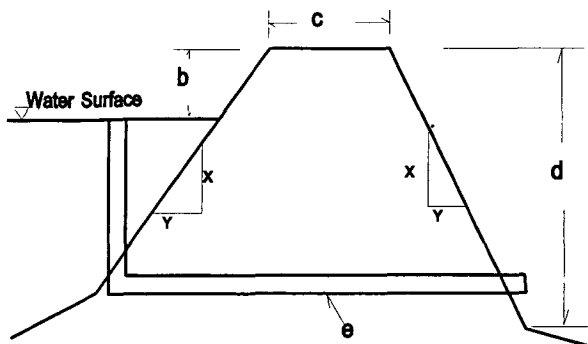
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N^o 416097

Pierre, _____ April 15, 1999

RECEIVED OF Tilford Gulch Campgrouhd, 21699 Piedmont Meadow Rd., Piedmont, SD 57769-9801
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>1625-1</u> 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. <u>1625-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	100 00

By

Chief Engineer

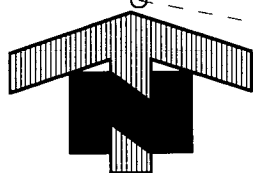
John Hatch (P)

644



Plat of Lot 1 of Lot B of the E1/2 of the SW1/4 of Section 20

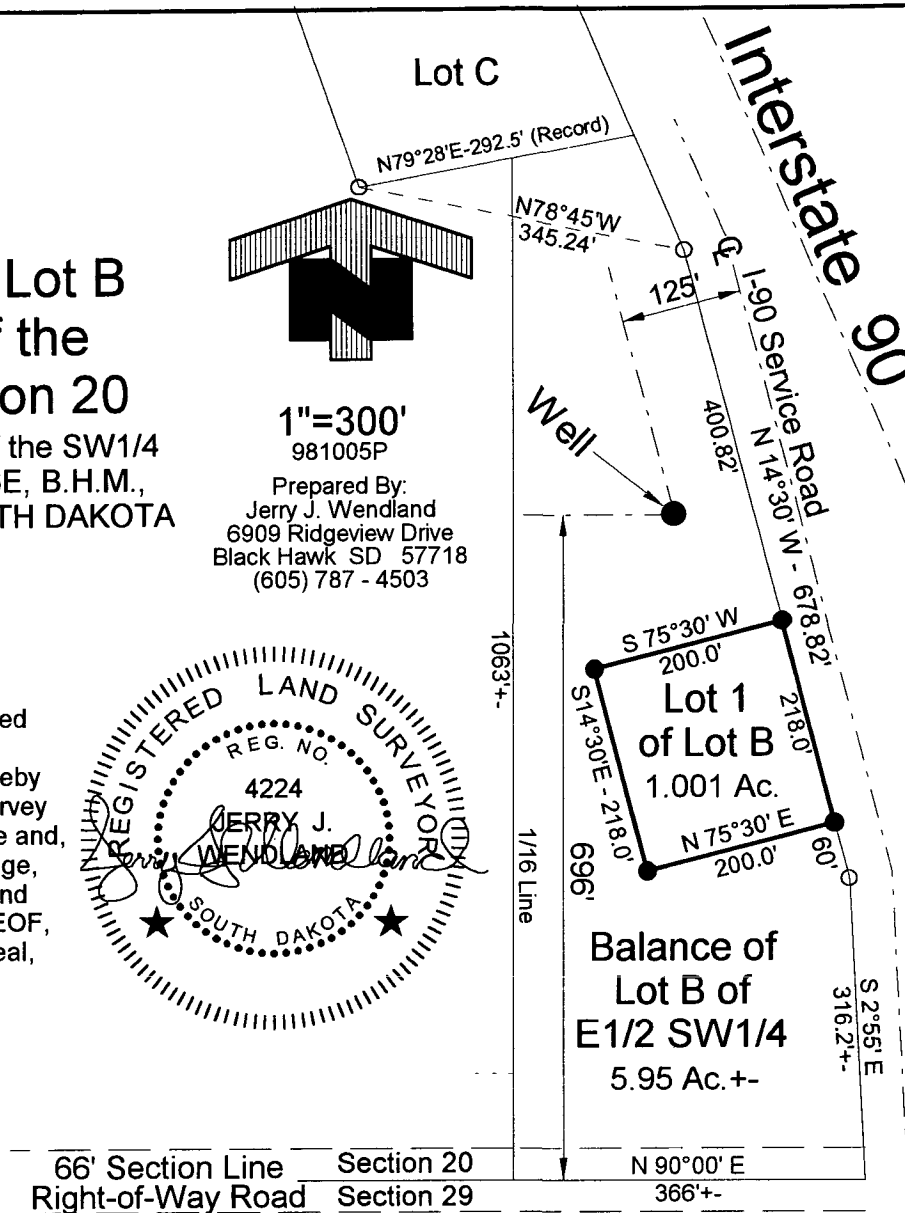
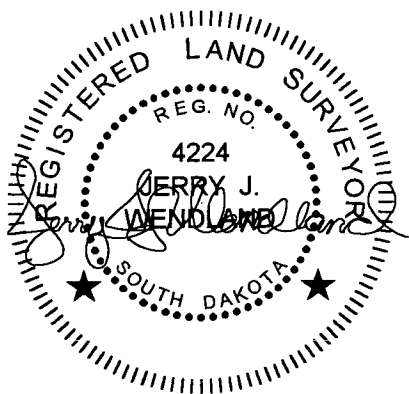
Located in the SE1/4 of the SW1/4
of Section 20, T4N, R6E, B.H.M.,
MEADE COUNTY, SOUTH DAKOTA



1"=300'
981005P

Prepared By:
Jerry J. Wendland
6909 Ridgeview Drive
Black Hawk SD 57718
(605) 787 - 4503

SURVEYORS CERTIFICATE
I, Jerry J. Wendland, Registered
Land Surveyor #4224 in the
State of South Dakota, do hereby
certify that this plat and the survey
thereof were performed by me and,
that to the best of my knowledge,
the same is in all things true and
correct. IN WITNESS WHEREOF,
I hereunto set my hand and seal,
this 11th day of April, 1999.



OWNERS

Thomas J. Carter, Thomas J. Carter, Debra A. Carter, Debra A. Carter



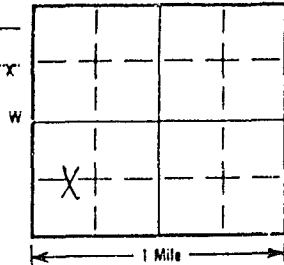
SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

East

Location SW 1/4 Sec 20 Twp 4 Rg 6
Lot 5 of Lot 2 of Lot 1 Carter
 County Meade North Sub

P' a mark well location with an "X"

Well Completion Date 12-10-95

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>240 FT</u>	<u>7 7/8 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Packhead No. of Sacks 40 Grout Weight 946 lb./gal. 0 to 240 ft.
Type III _____ lb./gal. _____ ft. _____ ft.

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

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

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? _____

DISINFECTION:

Was well disinfected upon completion? ☒ YES, How: chlorine
 _____ NO, Why Not? Perforated

Laboratory sent to for water quality analysis owner to complete

Well Owner Tom Carter
 Business Name: Tilted Bull Campground
 Address: HCR 80 Box 86-110
Piedmont S.D. 57769

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Red Clay & Sand	0'	55'
Limestone	55'	90'
(Minnekahta)		
Multi Colored Sandstone	90'	105'
Red Clay	105'	120'
(Opeche)		
Red Clay & Sandstone & Gyp	120'	140'
(Opeche)		
Multi colored S. Stone	140'	240'
Pink & white Sand.	240'	265'

STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure _____ PS'

GPM flow 30 through _____ inch pipeControlled by ☒ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? yes

WELL TEST DATA:

☐ Pumped Describe: Flowing did
☐ Bailed not developed
☐ Other _____

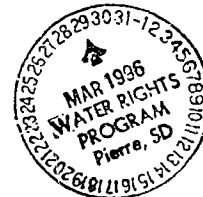
Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 568

And this report is true and accurate.

Drilling firm CIMARON DrillingSignature of License Representative: Michael J. Deutch

Signature of Well Owner or Equitable Property Holder: _____

Date: 4/4/96



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 6, 1999

Tom Carter
HCR 80, Box 861-10
Piedmont SD 57769

Dear Mr. Carter:

As per our telephone conversation, I am enclosing a water right permit application form and instruction sheet. I have also enclosed a copy of the well completion report filed by the well driller upon completion of the well.

In answer to your question, Well Construction Standards state that a well of this depth may be located no closer than 100 feet horizontally from a pollution source.

Mr. Carter, please feel free to contact me if you have any questions or need assistance completing the application.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosure



1141 A RAND ROAD, RAPID CITY, SOUTH DAKOTA 57702 PHONE (605) 341-3095

May 12, 1989

South Dakota Department of
Water and Natural Resources
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181

ATTN: Ray Bircham

RE: Grey Water Holding Cell for
Carter's Motorcycle Campground

Dear Ray;

We have designed a Holding Cell for "Grey Water" from a central shower facility for a campground on Lot B of the SE 1/4 of SW 1/4 of Section 20, T4N, R6E, BHM. This campground site is immediately north of the Tilford Rest Area west of I-90.

I have based the size on 15 day maximum with average of 100 campers and 15 gallons per day per camper. I am allowing one foot of freeboard and Tom Carter will be providing a chain link fence around the facility.

We have drilled the area and each test hole had similar soils. No gypsum was encountered and soil classification of CL was determined.

The enclosed plan shows the location, size, details and topographic features of Carter's Site.

Please review and if you have any questions contact me.

Cordially yours,

Curtis A. Betcher

Curtis J. Betcher, P.E.
Davis-Atkins and Associates, Inc.

Since This was built, I have enlarged
IT To hold The gallons I wrote on
Form 2A

cc: File #89.052

CJB/ds



SHORT FORM CONTRACT FOR DEED

NOTICE IS GIVEN that Arlene Carter, a married person, of
 Piedmont, South Dakota, hereinafter referred to as "Seller" and
 Thomas J. Carter and Debra A. Carter, husband and wife, of HC 80, Box 861-
 /57769
 Piedmont, South Dakota, hereinafter referred to as "Buyers", have
 entered into a Contract for Deed dated December 23, 1994, and
 Addendum, whereby seller agrees to convey to buyers as joint
 tenants with full rights of survivorship and not as tenants in
 common, upon performance of the terms of said Contract for Deed
 and its Addendum, the following described real property in the
 County of Meade, State of South Dakota:

Lot Five (5) of Lot Two (2) of Lot E of
 Carter Subdivision in the West half of the
 Southwest Quarter (W1/2 SW1/4) of Section
 Twenty (20), Township Four North, in Range
 Six East (T4N, R6E) of the Black Hills
 Meridian (consisting of approximately 42.83
 acres); and

Lot C of the Southwest Quarter (SW1/4) of
 Section Twenty (20), Township Four North,
 Range Six East (T4N, R6E) of the Black Hills
 Meridian (consisting of approximately 2.80
 acres); and

Lot B of the Southeast Quarter of the
 Southwest Quarter (SE1/4 SW1/4) of Section
 Twenty (20), Township Four North, Range Six
 East (T4N, R6E) of the Black Hills Meridian
 (consisting of approximately 6.95 acres).

Dated this 24 day of February, 1995.

Seller:

Arlene Carter
 Arlene Carter



1

THE LAST PAYEMENT ON THIS LAND WAS IN MARCH
 BUT THE DEED HAS NOT YET BEEN RECORDED IN STURGIS AT
 THE COURT HOUSE

Tom Carter
 4-12-99

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1685-1, Tilford Gulch Campground**

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. 1685-1, Tilford Gulch Campground, c/o Thomas J Carter, HCR 80, Box 861-10, Piedmont SD 57769.

The Chief Engineer is recommending APPROVAL of Application No. 1685-1 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.



JOHN HATCH, Chief Engineer
May 20, 1999

WATER PERMIT APPLICATION NO. 1685-1
THOMAS J. CARTER (TILFORD GULCH CAMPGROUND)
MAY 19, 1999

Water Permit Application No. 1685-1 proposes to appropriate 0.089 cubic feet of water per second (40 gallons per minute) from one well 265 feet deep (Minnelusa Formation) located in the SE ¼ SW ¼ Section 20, 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 140 feet below ground surface on the completion report that accompanies this application. The report indicates the well has a shut in pressure of 43 psi (9.2 feet above grade), and free flows 30 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 1 mile 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.

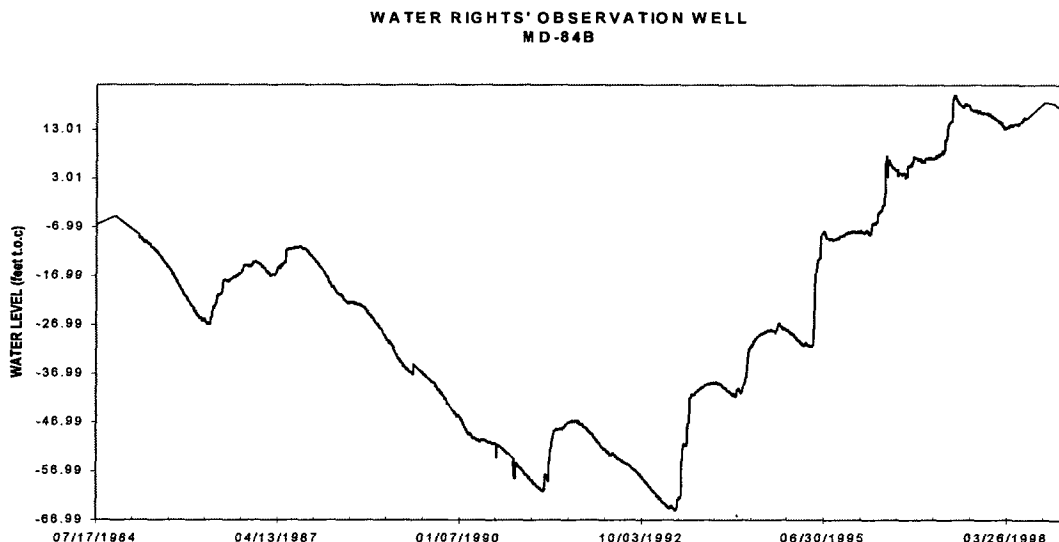


Figure 1, Minnelusa Aquifer Observation Well, Two-Miles North of 1683-1

The hydrograph also shows the magnitude of fluctuation in the water levels in the area (>83 feet) 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 feet of drawdown was measured on this well while the Minnelusa was essentially "being pumped" while drilling a Madison Observation well approximately 20 feet away.

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 156 Water Rights/Permits that appropriate water from the aquifer in South Dakota (Water Rights, 1999). There are 43 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 quarter of a mile south 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 Permit supplied from the Minnelusa Aquifer (1683-1, Dennis and Arvetta Harris) is located approximately one mile south of this well. Any well interference this proposed use would have on this 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 a gray water lagoon and cement holding tanks.
4. The Completion Report submitted with this application indicates the existing well has been constructed in compliance with the SD Well Construction Standards.



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



**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 20, 1999

Thomas J. Carter
Tilford Gulch Campground
HCR 80, Box 861-10
Piedmont, SD 57769

Dear Mr. Carter:

Water Permit Application No. 1685-1 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 20, 1999

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

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 1685-1 to Appropriate Water to be published twice. Please publish the first notice on May 26, 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 Thomas J. Carter, Tilford Gulch Campground, HCR 80, Box 861-10, Piedmont, SD 57769 (Ph # (605) 787-5573).

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

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

No. 1685-1

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

Date _____
We are in receipt of your letter of May 20, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 1685-1 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 26, 1999, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1685-1 to Appropriate Water

Notice is given that Thomas J Carter, Tilford Gulch Campground, HCR 80 Box 861-10, Piedmont SD 57769 has filed an application for a water permit to appropriate 0.089 cubic feet of water per second (40 gallons per minute) from one well (Minnelusa Formation) 265 feet deep located in the SE ¼ SW ¼ (Lot B) Section 20-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. 1685-1 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 14, 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 M. 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 26, 1999

June 2, 1999

Cost of Printing 35.60

Joan M. Lewis
 (Signature)

Bookkeeper
 (Title)

6/2/99
 (Date Signed)

Appropriate water

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Pursuant to SDCL 46-2A-2, the Chief Engineer

recommends APPROVAL of Application No. 1685- 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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**Publ May 26 and June 2, 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 22 1999

Tilford Gulch Campground
Thomas J. Carter
HCR 80, Box 861-10
Piedmont, SD 57769

Dear Mr. Carter:

Enclosed is Water Permit No. 1685-1 authorizing 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,

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

enclosures

Permit No. 1685-1
Upper Cheyenne 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 Thomas J. Carter (Tilford Gulch Campground) of HCR 80 Box 861-10, Piedmont SD 57769 holder of Permit No. 1685-1, bearing the priority of April 15, 1999 authorizing the diversion of 0.089 cu. ft. per second of the waters of ground water (Minnelusa Formation) for commercial/domestic 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 40 GPM

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

Water is diverted directly from well to provide water to campground (no storage tank).
Campground consists approximately of 200 units and 18 RV sites.

The system is in the following condition good. The point of diversion is located Well: 1,740 feet E and 696 feet N from the SW corner section 20-T4N-R6E (SE¼SW¼). The works are capable of diverting and conveying to the place of use 0.089 cu. ft. per second of water which is to be used for supplying a campground and for domestic use. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.089 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: none Date report completed: November 2, 1999



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 1685-1

DATE OF INVESTIGATION:	July 12, 1999
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Thomas J Carter
NAME & ADDRESS OF PERMIT HOLDER	Tilford Gulch Campground HCR 80 Box 861-10 Piedmont SD 57769
DIVERSION POINT LEGAL LOCATION	Well: 1,740 feet E and 696 feet N from the SW corner section 20-T4N-R6E (SE$\frac{1}{4}$SW$\frac{1}{4}$)

Other permit(s) associated with the project: none

WELL INFORMATION:

- 1) Well Drilling Firm: Cimarron Drilling
- 2) No. of Wells 1
- 3) Depth(s) 265 feet
- 4) Well log is available Y

Screen:

- 1) Type none
- 2) Static water level flowing (4psi closed in)

Pump\Motor:

- 1) - Make Unknown submersible
- 2) Capacity 40 GPM

Casing:

- 1) Diameter 5 inches
- 2) Length 240 feet
- 3) Type Plastic

DISTRIBUTION LINES OR CANALS:

Water is diverted directly from the well to provide water to the campground (no storage tank). The campground consists of approximately 200 units and 18 RV sites.

PERMIT QUALIFICATIONS:

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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1685-1

(1) Thomas J Carter, Tilford Gulch Campground, HCR 80 Box 861-10, Piedmont SD 57769 made Application No. 1685-1, April 15, 1999 for a water permit to divert 0.089 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for commercial and domestic purposes. Permit No. 1685-1, with a priority date of April 15, 1999 was approved June 14, 1999 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 0.089 cubic feet of water per second for beneficial use. The location of the diversion point is 1,740 feet east and 696 feet north from the southwest corner of Section 20-T4N-R6E (SE ¼ SW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use at the campground.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Thomas J Carter, Tilford Gulch Campground, HCR 80, Box 861-10, Piedmont SD 57769 the holder and/or owner of Water Right No. 1685-1 is issued a license to appropriate water, the right to use 0.089 cubic feet of water per second from groundwater (one well) with a priority date of April 15, 1999 from the location specified in (2) of this license for commercial and domestic purposes. This license is subject to any limitations or qualifications listed in Water Right No. 1685-1 and subject to South Dakota State Law.



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

DEC 3 1999

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 3 1999

1685-1

Thomas J. Carter
Tilford Gulch Campground
HCR 80, Box 861-10
Piedmont, SD 57769

Dear Mr. Carter:

Enclosed is Water License No. 1685-1. 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. 1685-1, 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