WATER PERMIT NO. 1688-1

Name of Applicant: **Jake or Lynne Mooney**

Address: **HCR 80 Box 633, Piedmont SD 57769** Phone: **605 787-5885**

Amount of Water Claimed: **0.089 cfs (40 gpm)** Total Acres: **NA**

Source of Water Supply: **1 existing well**

Water to be used for: **commercial (campground)** County: **Meade**

Type of Waste Disposal System: **septic tanks with drain field**

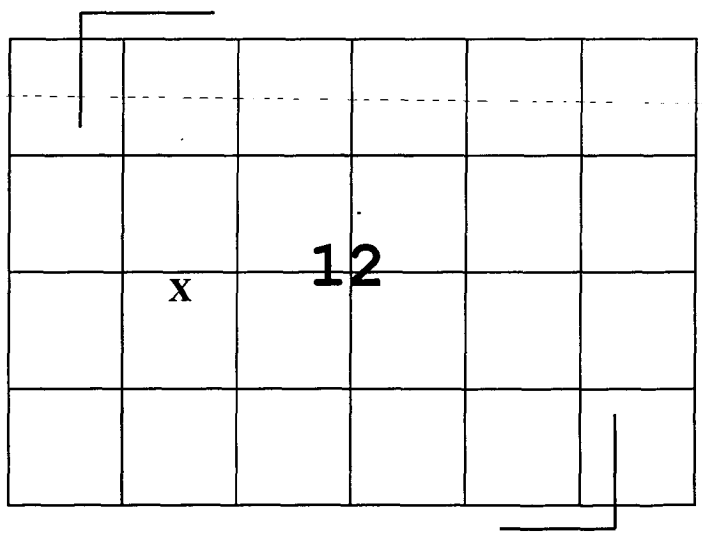
Location: **1 mile east of Piedmont**

PRIORITY Date Received: **5-14-1999** Fee: **$50.00**

Corrected Application Received: Period of Annual Use: **commercial – June 1 – Sept 30**
domestic – Jan 1 – Dec 31

Remarks:

Diversion Point: **NW ¼ SW ¼ Sec 12-T3N-R6E**



Land to be Irrigated: **NA**

Depth of Well: **190 feet deep**

Well Driller: **Cimarron Drilling**

Remarks:

Type of Map: **aerial**

Prepared by: **Marge Duprel, Meade Co. FSA**

Reviewed and the Number Assigned on: **5-14-1999** By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 1688-1

Date of first receipt of application May 14, 1999.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1688-1 to Jake or Lynne Mooney, HCR 80, Box 633, 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. 1688-1 appropriates 0.089 cubic feet of water per second (40 gallons per minute) from one existing well (Inyan Kara Formation) 190 feet deep located in the NW ¼ SW ¼ Section 12-T3N-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: (commercial use) June 1 – September 30 and (domestic use) January 1 – December 31.

4. The date of approval of Permit No. 1688-1 is July 5, 1999.

5. The date from which applicant may claim right is May 14, 1999.

6. One-fifth of the construction is to be completed on or before January 5, 2002.

7. All construction is to be completed on or before July 5, 2004.

8. Water is to be put to beneficial use on or before July 5, 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: _____ JUL 13 1999

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

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

Mail to:	(office use only)
Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. 1688-1 Hydrologic Unit 10120111 Basin Upper Cheyenne Newspaper Meade Co. Times-Tribune, Sturgis, SD

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	X	Commercial	___	Fish & Wildlife	___	Geothermal Heat
X	Domestic (over 18 gpm)	___	Industrial	X	Other Campground-seasonal		

Type of Application: (check one) X New ___ Vested Right (Use predates Mar 2, 1955) ___ Future Use Reservation
___ 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.) ___

1. Name of Applicant Jake or Lynne Mooney Phone 605-787-5885
(check one) X Owner ___ Tenant/lessee
Mailing Address HCR 80, Box 633 Piedmont State SD 57769
(Street. RR. or Box) (Zip Code)

2. Amount of water claimed 0.089 *CFS or 40 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply well - existing

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well in NW¼ SW¼ Section 12, TWN 3, R6E
County Meade

5. County or counties where water will be used Meade

6. Annual period during which water is to be used August 1999 ? Commercial use - June 1 - Sept 30 Domestic use - Jan 1 - Dec 31

7. 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)
Well to be used for seasonal campground during the Sturgis Rally, as well as domestic use.

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, Jake E. Mooney, 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 Jake E. Mooney

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

Stacey Balster
Notary Public
My Commission Expires July 13, 2004

8-96

Form 2A
(Complete applicable portions only)

Supplemental Information

(type or print in ink)

MAY 1999
WATER RIGHTS
PROGRAM
Pierre, SD

1. Well Information - Proposed Construction

a) Drill Hole Diameter 7 7/8" Depth 190'

b) Casing Type plastic Diameter 5" Thickness 3/8"

c) Screen Type perforated Diameter 5" Thickness 3/8"

d) Gravel Pack pea Length of Gravel Pack 120'

e) Depth to Top of Water Bearing Material 150'

f) Depth to Water (ground surface to water level) flowing well - 1½ gallons/min

g) Distance to nearest existing domestic well:

On applicants property 900' On property owned by others 500'

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) Septic tanks with drain fields

b) System Capacity (gallons) 4000 Year Constructed 1990

c) Connected to the City of N/A Sanitary System

3. Dugout Information

a) Surface Dimensions _____ Depth _____

b) Depth to water (ground surface to water level) _____

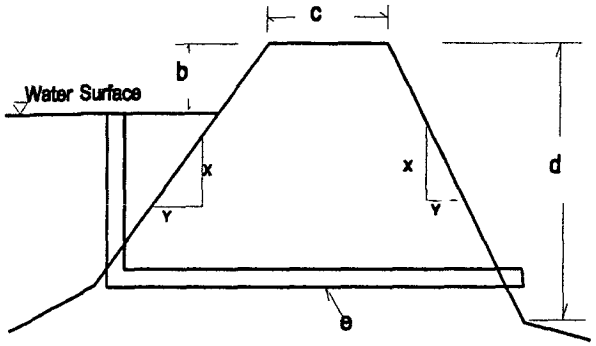
4. Water Storage Dams

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

№ 416122

Pierre, May 14, 19 99

RECEIVED OF Jake E. and Lynn M. Mooney, HCR 80, box 633, Piedmont, SD 57769
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 1688-1 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. 1688-1	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

MAXIM TECHNOLOGIES INC

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

evised 5/98

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 Jake E. Mooney

Street or RFD HCR 80 Box 133

City Piedmont State S.D. Zip Code 57769

Phone Number 605-787-9785 EPA ID Number _____

Relinquished by Jake E. Mooney **Date** 4/21/99

(Sampling instructions on reverse side)

WATER SUPPLIES ONLY

Name of Water Supply: _____

Sample Collector: Jake E. Mooney

Date Collected: 4/21/99 Time: 2:30

Type of Supply: Public Other: _____

Source: Lake Stream Reservoir (Well) Spring Gallery

Location of Sample Site: Outflow from well

Sample Site Number: _____ (Public Supplies)

Purpose of Sample (specify): Routine

Repeat of Unsafe Sample Other (Explain below)

Remarks: _____

CIRCLE ONE

SWIMMING POOL SPA BEACH

City: _____

Name-Pool or Beach: _____

Sample Collector: _____

Date: _____

Pt. of Collection: _____

Time of Collection: _____

No. Swimmers Present: _____

Chlorine Residual: _____ ppm

pH: _____

TOTAL COLIFORM		FECAL COLIFORM	
Present	Absent	Present	Absent

MEMBRANE FILTER

Bacteria TOTAL COLIFORM

Count _____ per 100 ml

Bacteria FECAL COLIFORM

Count _____ per 100 ml

Nitrite: _____ ppm

NITRATE-NITROGEN: 3.9 ppm

(✓) Nitrate content not of concern. (Maximum level is 10 ppm.)

( ) High Nitrate. Do not use for infants up to 6 month of age.

Lab No.	Date Received	Date Reported
1513	4-21-99 1450	4/23/99

MAXIM TECHNOLOGIES INC

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

Revised 5/98

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 Jake E. Mooney

Street or RFD MCR 80 Box 633

City Piedmont State S.D. Zip Code 57769

Phone Number 605-787-[illegible] EPA ID Number _____

Relinquished by Jake E. Mooney **Date** 4-26-99

(Sampling instructions on reverse side)

WATER SUPPLIES ONLY

Name of Water Supply: _____

Sample Collector: Jake E. Mooney

Date Collected: 4-26-99 Time: 1:00

Type of Supply: (Public) Other: _____

Source: Lake Stream Reservoir (Well) Spring Gallery

Location of Sample Site: Pump House

Sample Site Number: _____ (Public Supplies)

Purpose of Sample (specify): Routine

Repeat of Unsafe Sample (Other) (Explain below)

Remarks: FAR

CIRCLE ONE

SWIMMING POOL SPA BEACH

City: _____

Name-Pool or Beach: _____

Sample Collector: _____

Date: _____

Pt. of Collection: _____

Time of Collection: _____

No. Swimmers Present: _____

Chlorine Residual: _____ ppm

pH: _____

TOTAL COLIFORM		FECAL COLIFORM		MEMBRANE FILTER
Present	Absent	Present	Absent	Bacteria TOTAL COLIFORM Count _____ per 100 ml
	A			Bacteria FECAL COLIFORM Count _____ 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.

Lab No.	Date Received	Date Reported
D2019	4-26-99 1415	4-27-99

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP

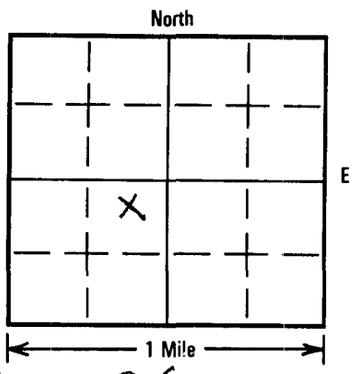
SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW ¼ SW ¼ Sec 12 Twp 3 Rg 6E

County Meade

Please mark well location with an "X"



Well Completion Date 7-10-96

Well Owner: JAKE Mooney

Business Name:

Address: Piedmont S.D. 57769

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 150 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
200 LB/FT	5 IN	0 FT	120 FT	7 7/8 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
Portland	27	94/6 lb./gal	0 ft.	150' ft.
Bent Gel	6	Sweep lb./gal	140 ft.	150 ft.

Describe grouting procedure Pressure Grout Hole Tremie pipe from Packer @ 150' ft surface with Mud Pump.

SCREEN: ☒ Perforated pipe ☐ Manufactured

Diameter 5 IN Length 30 FEET

Material PVC

Slot Size 18 Set From 150 Feet to 120 Feet

Other information

WAS A PACKER OR SEAL USED? ☒ YES ☐ NO

If so, what material? Neoprene

Describe packer(s) and location? 1@ 150'

DISINFECTION:

Was well disinfected upon completion? ✓ YES, How: Chlorine Pellets

___ NO, Why Not?

Laboratory sent to for water quality analysis Owner to Complete

WELL LOG:

FORMATION	DEPTH FROM	DEPTH TO
Surface Soil	0'	5'
Gravel	5'	20'
White Sand	20'	40'
White & Grey S. Stone	40'	65'
Green Shale	65'	100'
White Sand Stone	100'	110'
Red Sand Stone	110'	125'
Pink Sandstone	125'	140'
Gry & Grn Shale	140'	155'
White & Yellow Sand	155'	175'
Gry Limestone (Fossils)	175'	187'
Grey Shale	187'	190'
(Lakota Fm)		

STATIC WATER LEVEL 0 Feet

If flowing: closed in pressure 3 PSI

GPM flow 8 through 1 inch pipe

Controlled by ☒ Valve ☐ Reducers ☐ Other

Reduced Flowrate GPM

Can well be completely shut in? Yes

WELL TEST DATA:

☐ Pumped Describe: Air developed
☐ Bailed
☒ Other

Pumping Level Below Land Surface

120 ft. After 1 Hrs. ~~Below~~ pumped 25 GPM

120 ft. After 1 Hrs. ~~Below~~ pumped 40 GPM

If pump installed, pump rate GPM

REMARKS

This well was drilled under license # 568

And this report is true and accurate.

Drilling firm Cimarron Drilling

Signature of License Representative: Michael J. Dentaid

Signature of Well Owner or Equitable Property Holder:

Date:

REPORT ON WATER PERMIT APPLICATION NO. 1688-1
for Jake or Lynne Mooney
May 27, 1999

Application No. 1688-1 proposes to appropriate 0.089 cfs (40 gpm) from one existing well approximately 190 feet deep located in the NW 1/4 SW 1/4 of Section 12, T3N-R6E in Meade County. The water is for domestic and commercial use at a campground.

AQUIFER - INYAN KARA (INKR)

The Inyan Kara is made up of the Fall River Formation, the Fuson shale and the Lakota Formation in the Black Hills. The Inyan Kara underlies 2.1 million acres and contains an estimated 36.35 million acre feet of recoverable water in storage in Meade County (Allen, 1984). The aquifer is areally extensive around the entire Black Hills and is hydraulically connected into Pennington County to the south and into Lawrence and Butte counties to the north and west. The aquifer is confined and under artesian conditions at this site. The well log filed with the application indicates gravel from 5 to 20 feet (alluvium or terrace associated with Elk Creek) followed by interbedded sandstone and shale to a depth of 190 feet. The well is screened from a depth of 150 to 180 feet in a white and yellow colored sand. The completed well had a shut in pressure of about 3 psi and free flowed about 8 gpm. The well was capable of producing 40 gpm at a pumping level of 180 feet using air to develop. This well is completed in accordance with SD Well Construction Standards.

The Water Rights Program does not measure any nearby observation wells completed into the Inyan Kara Formation. The closest Inyan Kara observation well is PE-95E which is located about 10 miles southeast of this application. Water levels for this well have not changed much since the well was drilled. Even so, the period of record is not sufficient to demonstrate any water level trends. A hydrograph for this observation well is included with this report (Water Rights, 1999).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one other Water Right No. 1338-1 which obtains water from the Inyan Kara and is located about one-half mile south of this application. Interference is not expected to be a problem. Pumps can be lowered in these wells and drawdown created by pumping at these rates should not be significant at the distance between diversion points.

CONCLUSIONS

1. Water is available from the Inyan Kara aquifer.
2. The aquifer is confined and under artesian conditions. Drawdown created by pumping is not expected to be significant. Interference is not a concern.
3. This is an existing well and has been completed in accordance with SD Well Construction Standards.
4. This well does free flow at the land surface. The well must be controlled and maintained in order to prevent the waste of water.
5. Wastewater will be disposed of on site through a septic tank and drainfield.
6. This permit requests commercial use from June 1 through September 30 each year and for domestic use all year around.

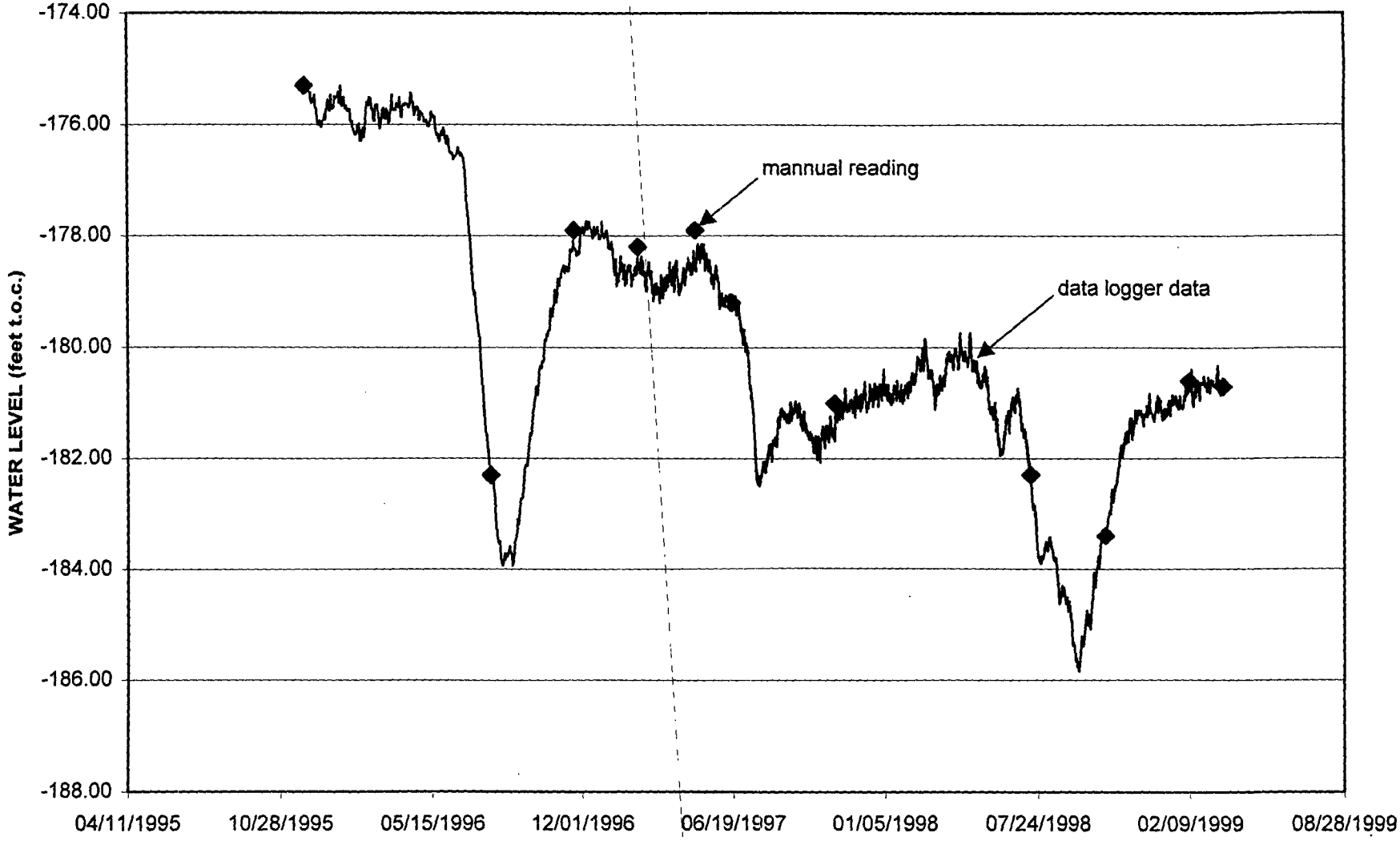
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

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

Water Rights, 1999, Unpublished Observation Well Data for the Inyan Kara Aquifer, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL PE-95E



RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT APPLICATION NO. 1688-1, Jake and Lynne Mooney

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. 1688-1, Jake and Lynne Mooney, HCR 80, Box 633, Piedmont SD 57769.

The Chief Engineer is recommending APPROVAL of Application No. 1688-1 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
June 3, 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 PUBLICATION ON THE CORRECT DATES, CONTACT THE NEWSPAPER RIGHT AWAY.

June 7, 1999

Jake and Lynne Mooney
HCR 80, Box 633
Piedmont, SD 57769

Dear Mr. and Ms. Mooney:

Water Permit Application No. 1688-1 for commercial (campground) 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

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

June 7, 1999

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

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 1688-1 to Appropriate Water to be published twice. Please publish the first notice on June 16, 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 APPLICANTS are Jake and Lynne Mooney, HCR 80, Box 633, Piedmont, SD 57769 (Ph # (605) 787-5885).

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----------

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

No. 1688-1

Date_____

We are in receipt of your letter of June 7, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 1688-1 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 June 16, 1999, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1688-1 to Appropriate Water

Notice is given that Jake and Lynne Mooney, HCR 80 Box 633, 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 existing well (Inyan Kara Formation) 190 feet deep located in the NW ¼ SW ¼ Section 12-T3N-R6E. The water is for domestic use and commercial use at a campground.

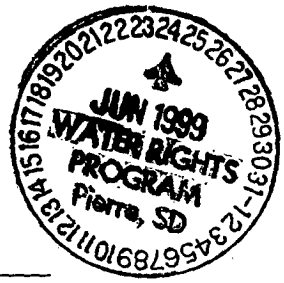
Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1688-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief 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 July 5, 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.

Form 8

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:

June 16, 1999

June 23, 1999

Cost of Printing 35.03

Joan M. Lewis
(Signature)

Bookkeeper
(Title)

June 23, 1999
(Date Signed)

Water application

NOTICE OF APPLICATION
NO. 1688-1 to Appropriate Water

Notice is given that Jake and Lynne Mooney, HCR 80 Box 633, 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 existing well (Inyan Kara Formation) 190 feet deep located in the NW 1/4 SW 1/4 Section 12-T3N-R6E. The water is for domestic use and commercial use at a campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1688- 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 July 5, 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.

Publ June 16 and 23, 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

JUL 13 1999

Jake or Lynne Mooney
HCR 80, Box 633
Piedmont, SD 57769

Dear Mr. and Ms. Mooney:

Enclosed is Water Permit No. 1688-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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 informational 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

Form 10

JUL 1999
WATER RIGHTS
PROGRAM
Pierre, SD

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

Date July 15, 1999

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

FROM: Jake or Lynne Mooney
(name)
HCR 80, Box 633
(address)
Piedmont, SD 57769
(city, state, zip)
605-787-5885
(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. 1688-1 states that the water use system is to be constructed by July 5, 2004 (date), and water is to be put to beneficial use by July 5, 2008 (date).

The water use system was completed ~~on~~ in 1996 (date).

Applying the water to beneficial use was completed ~~on~~ in 1996 (date).

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

Lynne M. Mooney
(signature)

7-98

Form 12

Permit No. 1688-1

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 **Jake or Lynne Mooney** of **HCR 80 Box 633, Piedmont SD 57769** holder of Permit No. **1688-1**, bearing the priority of **May 14, 1999** authorizing the diversion of **0.089** cu. ft. per second of the waters of **ground water (Inyan Kara 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:

Pump\Motor:

1) Make **Unknown submersible**
2) Size **1.5 hp**
3) Capacity **40** GPM

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

Water is distributed to a temporary campground for shower/bathroom facilities and to a mobile home for domestic purposes.

The system is in the following condition **good**. The point of diversion is located **Well: 2,475 feet N and 725 feet E from the SW corner section 12-T3N-R6E (NW¼SW¼)**. 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 **commercial and domestic purposes**. 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 8, 1999**

Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 1688-1

DATE OF INVESTIGATION	**July 12, 1999**
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	**Jake Mooney**
NAME & ADDRESS OF PERMIT HOLDER	**Jake or Lynne Mooney HCR 80 Box 633 Piedmont SD 57769**
DIVERSION POINT LEGAL LOCATION	**Well: 2,475 feet N and 725 feet E from the SW corner section 12-T3N-R6E (NW¼SW¼)**

Other permit(s) associated with the project: **none**

WELL INFORMATION:

1) Well Drilling Firm: **Cimarron Drilling**
2) No. of Wells **1**
3) Depth(s) **180** feet
4) Well log is available **Y**

Casing:

1) Diameter **5** inches
2) Length **150** feet
3) Type **plastic**

Screen:

1) Type **perforated**
2) Length **30** feet
3) Static water level **flowing (3 psi - closed in)**

Pump\Motor:

1) Make **Unknown submersible**
2) Size **1.5 hp**
3) Capacity **40** GPM

DISTRIBUTION LINES OR CANALS:

Water is distributed to a temporary campground for shower/bathroom facilities and to a mobile home for domestic purposes.

PERMIT QUALIFICATIONS:

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

Ron Duvall, Nat Res Engineer 11/8/99

South Dakota
Department of Environment & Natural Resources
Water Rights

Water Right No. 1688-1

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1688-1

(1) Jake or Lynne Mooney, HCR 80 Box 633, Piedmont SD 57769 made Application No. 1688-1, May 14, 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. 1688-1, with a priority date of May 14, 1999 was approved July 5, 1999 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 5, 2004 and for the application to beneficial use of said water on or before July 5, 2008.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on July 19, 1999. The *Notice* stated the diversion system was completed and the water placed to beneficial use in 1996.

(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 2,475 feet north and 725 feet east from the southwest corner of Section 12-T3N-R6E (NW 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 to supply a campground and a mobile home.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Jake or Lynne Mooney, HCR 80 Box 633, Piedmont SD 57769 the holder and/or owner of Water Right No. 1688-1 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 May 14, 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. 1688-1 and subject to South Dakota State Law.

John Hatch

DEC 6 1999

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

date

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www.state.sd.us/denr

DEC 6 1999

1688-1

Jake or Lynne Mooney
HCR 80, Box 633
Piedmont, SD 57769

Dear Mr. and Ms. Mooney:

Enclosed is Water License No. 1688-1. 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. 1688-1, 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