

WATER PERMIT NO. 1689-1

Name of Applicant: Jack W Marler

Address: PO Box 320, Ft. Meade SD 57741

Phone: 605 347-2572

Amount of Water Claimed: 0.089 cfs Total Acres: NA

Source of Water Supply: groundwater (1 well)

Water to be used for: commercial use - campground County: Meade

Type of Waste Disposal System: septic systems

Location: 4 miles southwest of Sturgis

PRIORITY Date Received: 5-10-1999

Fee: \$50.00

Corrected Application Received: 5-14-1999

Period of Annual Use: May 1 - September 31

Remarks: for use at Elk View Campground and resort

Diversion Point: approximate center of
SW ¼ Sec 31-T5N-R6E

Land to be Irrigated: NA

Depth of Well: 1100-1200 feet deep

Well Driller:

Remarks:

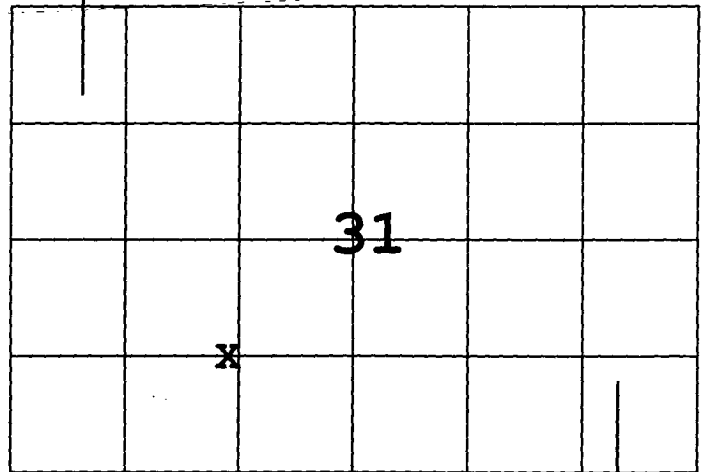
Type of Map: topo

Prepared by: Darrel Vig, NRCS

Reviewed and the Number Assigned on: 5-10-1999

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 1689-1**

Date of first receipt of application May 10, 1999.

Date of return to applicant for corrections, amendments or changes May 11, 1999.

Date of receipt of corrected application May 14, 1999.

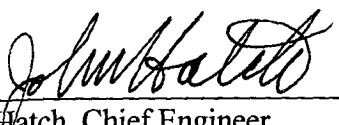
The Water Management Board approved Water Permit Application No. 1689-1 on July 7, 1999 for Jack W Marler, PO Box 320, Ft. Meade SD 57741 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1689-1 appropriates 0.089 cubic feet of water per second (40 gallons per minute) from one well (Minnelusa Formation) approximately 1,200 feet deep located in the SW ¼ SW ¼ Section 31-T5N-R6E.
2. The water appropriated shall be used for the purpose of supplying water for domestic use and commercial use at the Elk View Campground & Resort 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: May 1 – September 30.
4. The date from which applicant may claim right is May 10, 1999.
5. One-fifth of the construction is to be completed on or before January 7, 2002.
6. All construction is to be completed on or before July 7, 2004.
7. Water is to be put to beneficial use on or before July 7, 2008.
8. 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 authorized by Permit No. 1689-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. The Board is retaining jurisdiction of Permit No. 1689-1 if additional information becomes available that warrants Board action.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 9 1999

date



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

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 1689-1 Hydrologic Unit 10/20/11
Basin Upper Cheyenne
Newspaper Meade Co. Times-Tribune, Sturgis, SD
(office use only)



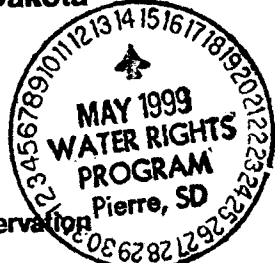
Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water:

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

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.) _____



1. Name of Applicant JACK W MARLER Phone 605-347-2572
(check one) ☐ Owner ☐ Tenant/lessee

Mailing Address P.O. BOX 320 FT. MEADE State SD 57741
(Street, RR, or Box) (City) (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

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 WELL IN THE CENTER
OF THE SW1/4 SEC 31 T5N R6E B1M (1400'E & 1300'N OF SW CORNER
SEC 31-5-6 (SW1/4 SW1/4) County MEADE

5. County or counties where water will be used MEADE

6. Annual period during which water is to be used MAY¹-SEPT.³⁰ SUMMER CAMPER USE
DOMESTIC January 1 - December 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)
THIS WELL WILL
SERVICE THE ELKVIEW CAMPGROUND & RESORT. - THERE WILL BE (2)
12,000 gal UNDERGROUND STEEL STORAGE TANKS. THIS WILL ALSO BE OUR
DOMESTIC WATER WHEN WE BUILD A HOME IN A COUPLE YEARS.

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)

County of MEADE)^{SS}

I, JACK MARLER, 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.

William C. Hearns
Notary Public

Signed

Jack W. Marler

My Commission Expires September 16, 2004

Subscribed and sworn to before me this

3rd day of

May

19 99

William C. Hearns

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter 2 3/4 Depth 1100 - 1200 Ft.
- b) Casing Type STEEL Diameter 7" Thickness 1/4"
- c) Screen Type N/A Diameter N/A Thickness N/A
- d) Gravel Pack Thickness N/A Length of Gravel Pack N/A
- e) Depth to Top of Water Bearing Material 1100 Ft.
- f) Depth to Water (ground surface to water level) APPROX 550 FT.
- g) Distance to nearest existing domestic well: 1 1/2 MILE

On applicants property NONE On property owned by others ✓ 1 1/2 MILE - SHALLOW WELL

2. Dugout Information

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below 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

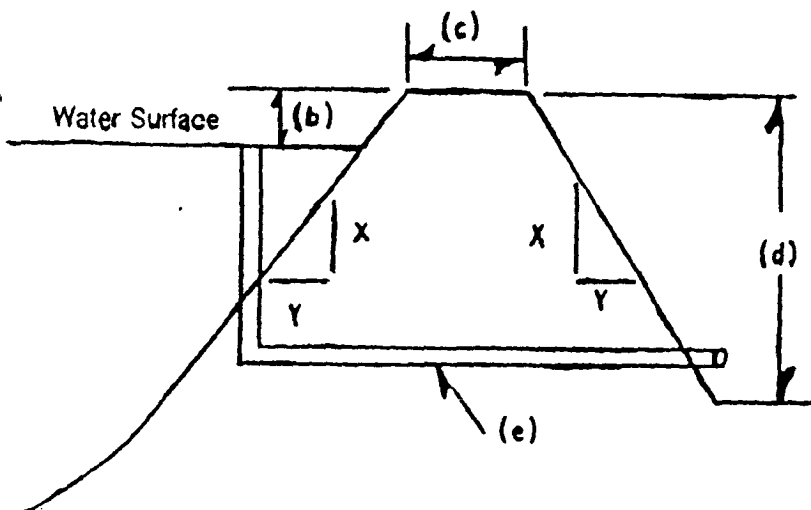
Upstream _____

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

No 416123

Pierre, May 14, 19 99

RECEIVED OF Elk View Campground & Resort, P.O. Box 320, Ft. Meade, SD 57741
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. 1689-1

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By

Chief Engineer

Joh. Hatch

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416117

Pierre, May 10, 1999

RECEIVED OF Elk View Campground & Resort, P.O. Box 320, Ft. Meade, SD 57741
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 1689-1 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. _____

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Chief Engineer

John Hatch

Eric,
Here's the new location map for
J Elvén.
If you help putting

J Elvies.
u Thanks for all your help putting
this together.

This -
location

POD

980

in of the

SW Corner of Sec. 31-5-6

Danell Vig, DC
NRCs
Sturgis

5/28/99

Jack W. Markel
347-2572

Mad Creek Conservation District

2202 West Main
Sturgis, SD 57785-1338
Phone (605) 347-4952
email darrell.v

Fax (605) 347-3016
VoiceCom (800) 872-7502
Mailbox 7770

email darrell.vig@sdsturgis.fsc.usda.gov

USDA

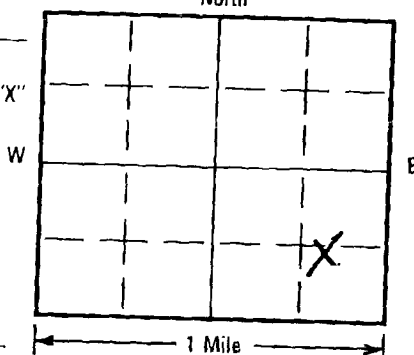
Natural Resources
Conservation Service

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location E 1/2 SE 1/4 Sec 31 Twp 5N Rg 6ECounty Meade

Please mark well location with an "X"



Well Completion Date

7-2-99

LOCATION:

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

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary - Water - MudCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>21 LB/FT</u>	<u>7 IN</u>	<u>0 FT</u>	<u>1037 FT</u>	<u>8 3/4 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland Type III</u>	<u>150</u>	<u>94 lb./gal</u>	<u>0</u>	<u>1037</u>
_____	_____	_____ lb./gal	_____	_____

Describe grouting procedure PRESSURE GROUT THEN CASING WITH MUD PUMP DISPLACE WITH WATERSCREEN: ☐ 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? INJECTION

Laboratory sent to for water quality analysis _____

OWNER TO COMPLETEWell Owner: JACK MARLARBusiness Name: EIK View CampgroundAddress: P.O. Box 320
Ft. Meade S.D. 57741

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Gray + Green Shale</u>	<u>0'</u>	<u>160'</u>
<u>Red Shale + S. Stone</u>	<u>160'</u>	<u>200'</u>
<u>Gray + Green Shale</u>	<u>200'</u>	<u>360'</u>
<u>Red Shale + S. Stone</u>	<u>360'</u>	<u>805'</u>
<u>MINEKAHA Limestone</u>	<u>805'</u>	<u>855'</u>
<u>OPACHE Red Shale + S. Stone</u>	<u>855'</u>	<u>995'</u>
<u>White Sand Stone</u>	<u>995'</u>	<u>1060'</u>
<u>White + Red Sandstone</u>	<u>1060'</u>	<u>1120'</u>
<u>White Sand Stone</u>	<u>1120'</u>	<u>1200'</u>

STATIC WATER LEVEL 404 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

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

Pumping Level Below Land Surface

600 ft. After 2 Hrs. Blow 38 GPM500 ft. After 1 Hrs. Blow 15 GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 568

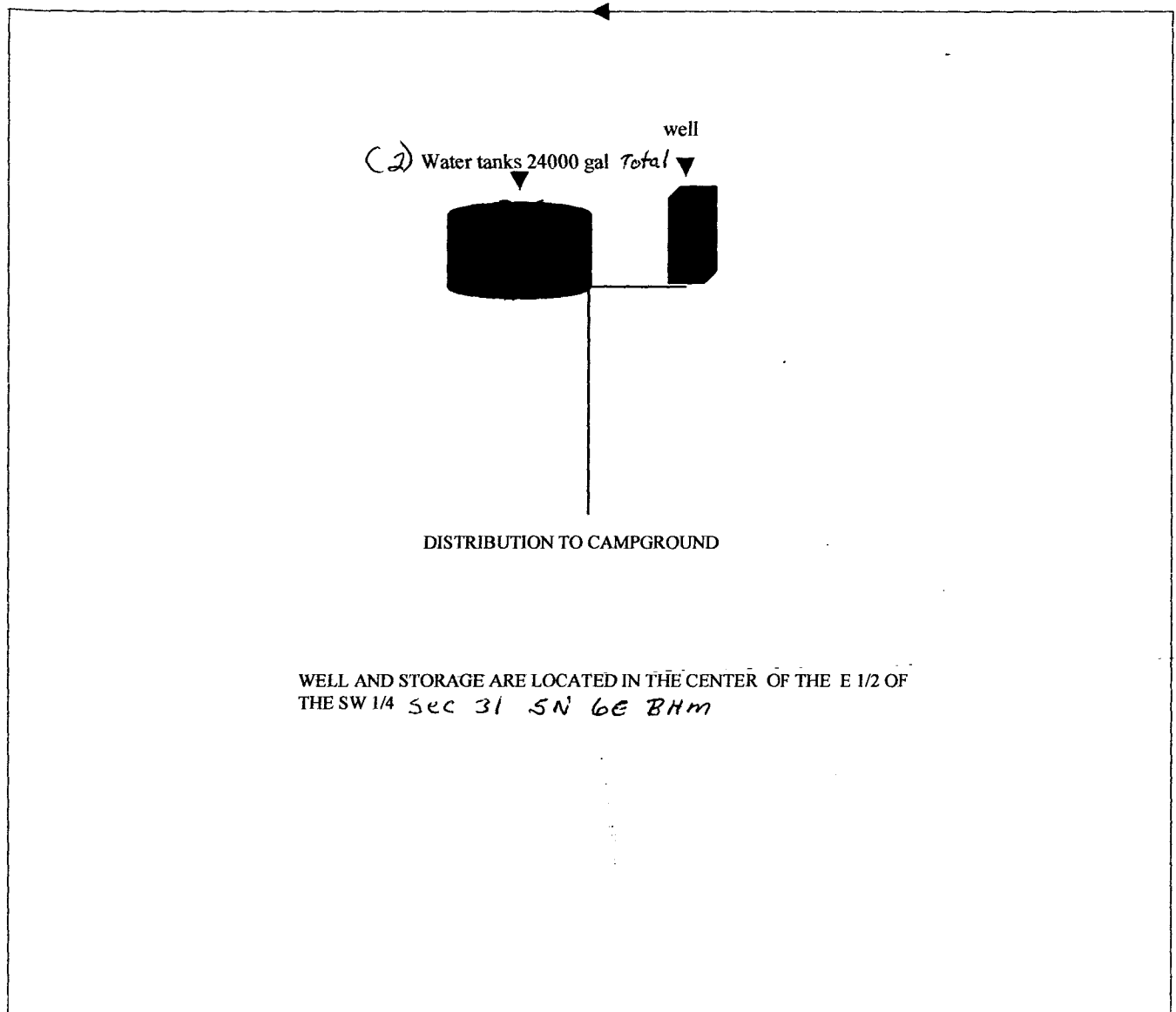
And this report is true and accurate.

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

Signature of Well Owner or Equitable Property Holder: _____

Date: 7-06-99

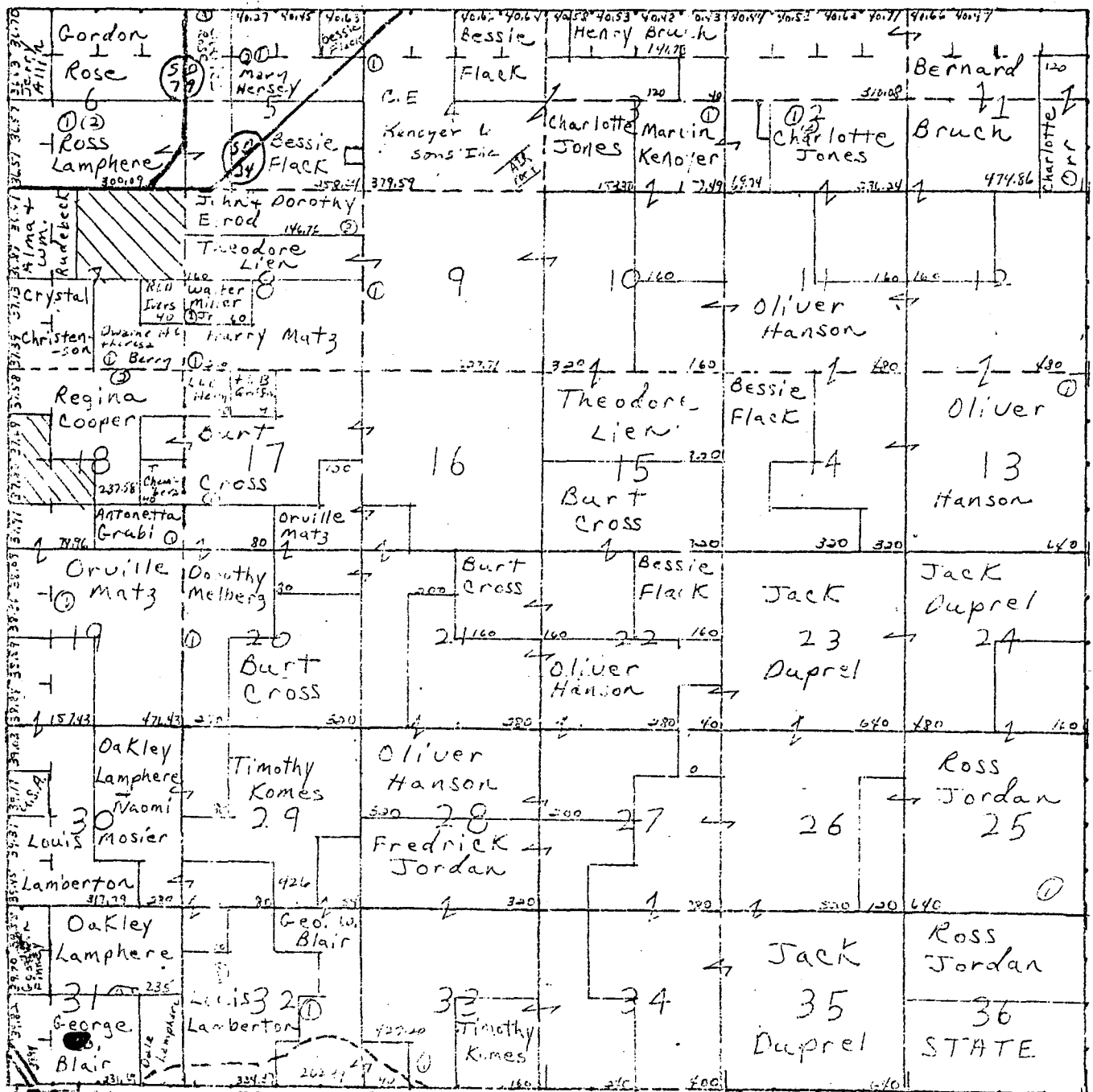
ELKVIEW CAMPGROUND WELL, STORAGE AND WATER DISTRIBUTION
MEADE COUNTY SOUTH DAKOTA E 1/2 OF SW 1/4, SECTION 31, T5N, R6E BHM



SOUTH DAKOTA

Township 5 North

Range 6 East B.H.M.



SMALL TRACT OWNERS

Ina S. Brechle!
Bill D. Jones
Delbert D. Kolb
Western Dak. Ant. Club
Lottie J. Kiewee

E½E½NW¼ Sec. 2
NW¼NW¼ Sec. 2
W½ Lot 1, Sec. 3
SE¼NE¼ Sec. 3.
Lot K811 - 1 in NESE S. 5

9.31 ac.
9.37 ac.
36.70 ac.
1.691 ac.

Property purchased from
Leo & Viola Blair
1/6/99

in





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 14, 1999

Jack Marler
PO Box 320
Ft. Meade, SD 57741

Dear Mr. Marler:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well prior to approval of a water permit. The construction and testing does not constitute construction of works for appropriation of water pursuant to SDCL 46-5-9. A water permit must be approved prior to any use of water. The test well is to be completed into Minnelusa Aquifer in the E ½ SE ¼ Section 31, T5N-R6E. The test well must be constructed in accordance with the South Dakota Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the South Dakota Well Construction Standards.

This authorization in no way guarantees a Water Permit will be approved.

Very truly yours,

JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

*Location is
1400' ~~East~~ East +
1300' N of SW corner
Sec 31-5-6*

c: Mike Deutsch, Cimarron Drilling, 9017 S. Ridge Trail, Sturgis, SD 57785



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 11, 1999

Jack W Marler
PO Box 320
Ft. Meade SD 57741

Dear Mr. Marler:

Thank you for submitting the *Application for a Permit to Appropriate Water* for commercial use. The application is being returned because it needs to be signed by a notary public where indicated with the red "x".

We are in receipt of the \$50 application filing fee. In addition to the application filing fee, the Water Rights Program now collects the \$50 licensing fee at the time of filing. Please submit \$50 for the licensing of the water permit.

Also, what type of waste water disposal system is utilized (i.e. septic tank, drain field)?

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure



5/12/99

Dear Karen,

Thanks for your cordial letter concerning our Well Application.

I didn't realize Form 2 needed to be notarized. Sorry!

Enclosed, please find the \$50⁰⁰ fee for the license.

Also, the info on the wastewater disposal system is as follows:

- 1.) Gray water - 5500 gal septic (2 ea 2250 + 1 ea - 1000 gal)
* These 3 septic tanks are then collected in a 130000 gal. underground tank.
- 2.) Septic water - 5500 gal (2 ea 2250 gal + 1 ea 1000 gal)
* The overflow from the 3 black water septic tanks is then piped thru 1000 linear feet of "Infiltrator" Drain Field.

Both of these systems were approved & co-designed by Rich Hanson, DENR.

Thanks Again,

Jack W. Markel



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 3, 1999

Jeff Jaspers
HC 75, Box 392
Sturgis SD 57785

Dear Mr. Jaspers:

Please find enclosed a copy of the report, recommendation and publication notice for Water Right Permit Application No. 1689-1 filed by Jack Marler. This application is for the use of water from a Minnelusa well for commercial use at a campground and domestic use at a future home site. This information is being sent to you because of the interest you showed in the campground.

The enclosed notice of hearing is being published in the Meade Co. Times-Tribune on June 9 and 16, 1999. If you want to participate in the July 7th hearing before the Water Management Board on this application, a petition to intervene must be submitted by June 28, 1999 (see notice for details).

If you have any questions, please do not hesitate to contact me.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 3, 1999

Jack Duprel
RR
Sturgis SD 57785

Dear Mr. Duprel:

Please find enclosed a copy of the report, recommendation and publication notice for Water Right Permit Application No. 1689-1 filed by Jack Marler. This application is for the use of water from a Minnelusa well for commercial use at a campground and domestic use at a future home site. This information is being sent to you because of the interest you showed in the campground.

The enclosed notice of hearing is being published in the Meade Co. Times-Tribune on June 9 and 16, 1999. If you want to participate in the July 7th hearing before the Water Management Board on this application, a petition to intervene must be submitted by June 28, 1999 (see notice for details).

If you have any questions, please do not hesitate to contact me.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosure

MAY 28, 1999

Water Permit Application No. 1689-1 proposes to appropriate 0.089 cubic feet of water per second (40 gallons per minute) from one well (Minnelusa Formation) approximately 1200 feet deep located in the SW ¼ Section 31, T5N-R6E. The water is for commercial use at the Elk View Campground and Resort and for domestic use at a future home site.

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 estimated to be approximately 900 feet below ground surface at this well site (Redden, 1994). The static water level of this well is expected to be approximately 550 feet below grade at this site (Kyllonen, 1987)

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 3½ miles south 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.

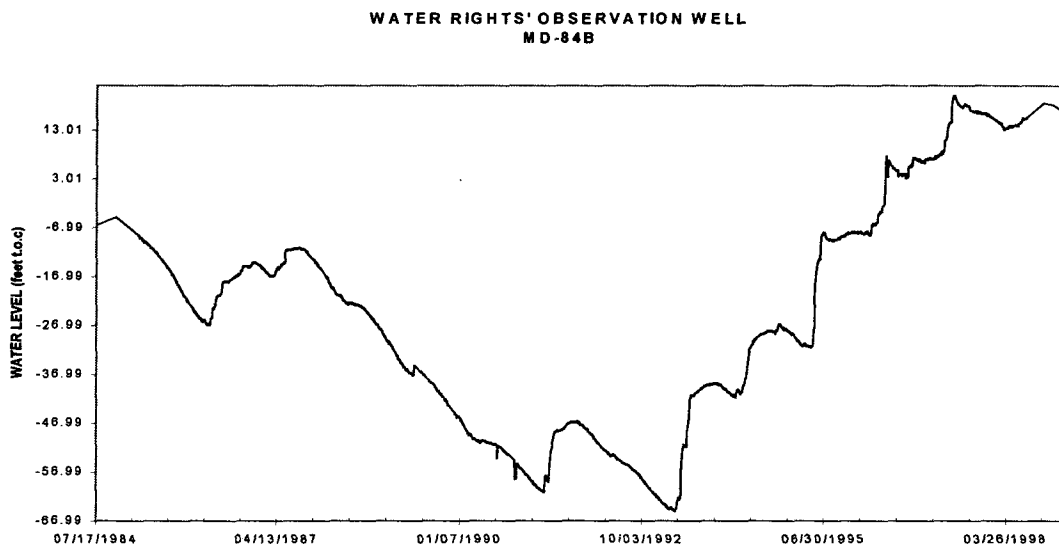


Figure 1, Minnelusa Aquifer Observation Well, Three and one half miles South of 1689-1

The hydrograph also shows the magnitude of fluctuation in the water levels in the area more than 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 to 5 feet of drawdown was measured in this well while a Madison Observation well was being drilled approximately 20 feet away.

It is obvious from the hydrographs that withdrawals have not exceeded recharge for the period of record (Water Rights₁, 1999). The observation well data suggests that at the existing level of development, the aquifer is capable of sustaining additional withdrawals.

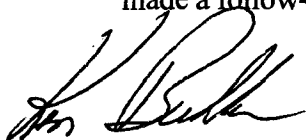
AFFECTS ON EXISTING RIGHTS:

There are 157 Water Rights/Permits that appropriate water from the aquifer in South Dakota (Water Rights₂, 1999). There are 44 permits/rights appropriating water from the Minnelusa aquifer in Meade County (Water Rights₂, 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 Rights₃, 1999).

The nearest permit appropriating groundwater (No. 1277-1, Pleasant Valley Homeowners Association) is located approximately one-half mile northwest of this well. The well that supplies Permit No. 1277-1 is actually completed into the Madison Limestone. The nearest Permit supplied from the Minnelusa Aquifer (No. 1188-1, Bluxberg Mt. Water Association) is located approximately three-fourths of a mile north 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.

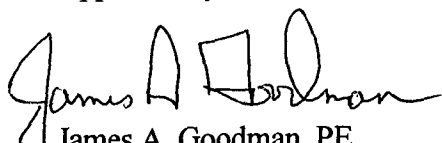
CONCLUSIONS:

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 a small amount of drawdown due to this diversion can be expected. This drawdown is not expected to adversely affect adequate wells in the area.
3. DENR representatives have approved the waste disposal system for this temporary campground and have made a follow-up on site investigation.



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
- Redden, J.A., 1994, Structural Contours and Phanerozoic Structures in the Rapid City, South Dakota, 1:100,000 Scale Quadrangle, Open-File Report 95-81, U.S. Geological Survey, Rapid City, SD
- 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. 1689-1, Jack W. Marler**

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. 1689-1, Jack W. Marler, PO Box 320, Ft Meade SD 57741.

The Chief Engineer is recommending APPROVAL of Application No. 1689-1 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 authorized by Permit No. 1689-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. The Board is retaining jurisdiction of Permit No. 1689-1 if additional information becomes available that warrants Board action.

See report on application for additional information.



JOHN HATCH, Chief Engineer
June 2, 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.**

June 2, 1999

Jack W. Marler
P.O. Box 320
Ft. Meade, SD 57741

Dear Mr. Marler:

Water Permit Application No. 1689-1 for commercial use at a campground 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

June 2, 1999

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

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 1689-1 to Appropriate Water to be published twice. Please publish the first notice on June 9, 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 Jack W. Marler, P.O. Box 320, Ft. Meade, SD 57741 (Ph # (605) 347-2572).

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. 1689-1

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

Date _____

We are in receipt of your letter of June 2, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 1689-1 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 9, 1999, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING ON WATER PERMIT APPLICATION NO. 1689-1 to Appropriate Water

Notice is given that Jack W Marler, PO Box 320, Ft. Meade, SD 57741 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 Aquifer) approximately 1200 feet deep located in the SW ¼ SW ¼ Section 31-T5N-R6E. The water is for commercial use at the Elk View Campground and Resort and for domestic use at a future home site.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1689-1 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights 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 28, 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.

The Water Management Board will consider this application at 11:30 a.m. (CST), July 7, 1999, Floyd Matthew Training Center, Joe Foss Building, 523 West Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The July 7, 1999, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by June 28, 1999.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 28, 1999, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. 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:

June 9, 1999

June 16, 1999

Cost of Printing 52.25

Joan M. Lewis
 (Signature)

Bookkeeper
 (Title)

6/21/99
 (Date Signed)

Appropriate water**NOTICE OF HEARING ON WATER PERMIT APPLICATION NO. 1689-1 to Appropriate Water**

Notice is given that Jack W Marler, PO Box 320, Ft. Meade, SD 57741 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 Aquifer) approximately 1200 feet deep located in the SW 1/4 SW 1/4 Section 31-T5N- R6E. The water is for commercial use at the Elk View Campground and Resort and for domestic use at a future home site

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1689-1 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights 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 28, 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.

The Water Management Board will consider this application at 11:30 a.m. (CST), July 7, 1999, Floyd Matthew Training Center, Joe Foss Building, 523 West Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The July 7, 1999, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by June 28, 1999.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 28, 1999, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Publ June 9 and 16, 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 9 1999

Jack W. Marler
P.O. Box 320
Ft. Meade, SD 57741

Dear Mr. Marler:

Enclosed is Water Permit No. 1689-1 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

Permit No. 1689-1
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, May 15, 2003, made a thorough examination of the water use system constructed by Jack W Marler of PO Box 320, Ft. Meade SD 57741 holder of Permit No. 1689-1, bearing the priority of May 10, 1999 authorizing the diversion of 0.089 cu. ft. per second of the waters of ground water (Minnelusa formation) for domestic and commercial purposes, in Meade County.

Inspection contact & relationship to permit holder, if applicable: **Jack Marler**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Cimarron Drilling
- 2) No. of Wells 1
- 3) Depth(s) 1,200 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 7 inches
- 2) Length 1,037 feet
- 3) Type Steel

Screen:

- 1) Type open hole
- 2) Length 163 feet
- 3) Static water level 404 feet

Motor/Pump:

- 1) Make submersible unit
- 2) Model unknown
- 3) Size 15 hp
- 4) Capacity 40 GPM

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

Water is used for sanitary and potable purposes supplying 40 hookups.

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Exceptions to compliance are: none

The system is in good condition with the point of diversion located as follows: *Well: 1,075 feet N and 1,350 feet E from the SW corner section 31-T5N-R6E (SE¼SW¼ -- Latitude 44.34723, Longitude -103.44397).

The works are capable of diverting and conveying to the place of use 0.089 cu. ft. per second of which is to be used for domestic and commercial purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.089 cfs.

All structures, wells and lands on map Y

| Comments or other permit(s) associated with the project:

* The well is located just outside of the permitted location. See the attached file documentation dated September 24, 2003 to correct the location to the area described above.



Ron Duvall
 Natural Resources Engineer
 DENR, Water Rights Program

Date report completed: September 24, 2003

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Jack W Marler

ADDRESS: PO Box 320, Ft. Meade SD 57741

DATE: September 24, 2003 COUNTY: Meade

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

• **Developed water source same as permitted source and no additional water appropriated**

The permitted water source and developed water source are both the Minnelusa Formation and the developed diversion rate is the same as specified on the water permit.

• **If irrigation, no new land is irrigated**

Not applicable. This water permit is for domestic and commercial water uses.

• **Review of Existing Diversions**

The nearest other existing Minnelusa formation diversion is Water Right No. 1188-1, Blucksberg Mt. Water Association which authorizes a diversion of 0.26 cfs for suburban housing purposes. This diversion is located approximately 2,800 feet Northwest of No. 1689-1. There has been no reported interference between these wells and none is expected in the future. The diversions have co-existed since 1999 and the location of No. 1689-1 actually resulted in the wells being slightly further apart.

RECOMMENDED ACTION

Water Permit No. 1689-1 was issued on July 9, 1999 for 0.089 cfs to be diverted from a Minnelusa formation well drilled in July of 1999. According to the map submitted with the permit application the Minnelusa well was located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ section 31-T5N-R6E. However, the actual location well location based on GPS positioning is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ section 31-T5N-R6E approximately 30 feet outside of the permitted area. Based on the above criteria, it is recommended that the diversion point be licensed as developed.



Ron Duvall, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location does not increase the potential for adverse effects to existing diversions.

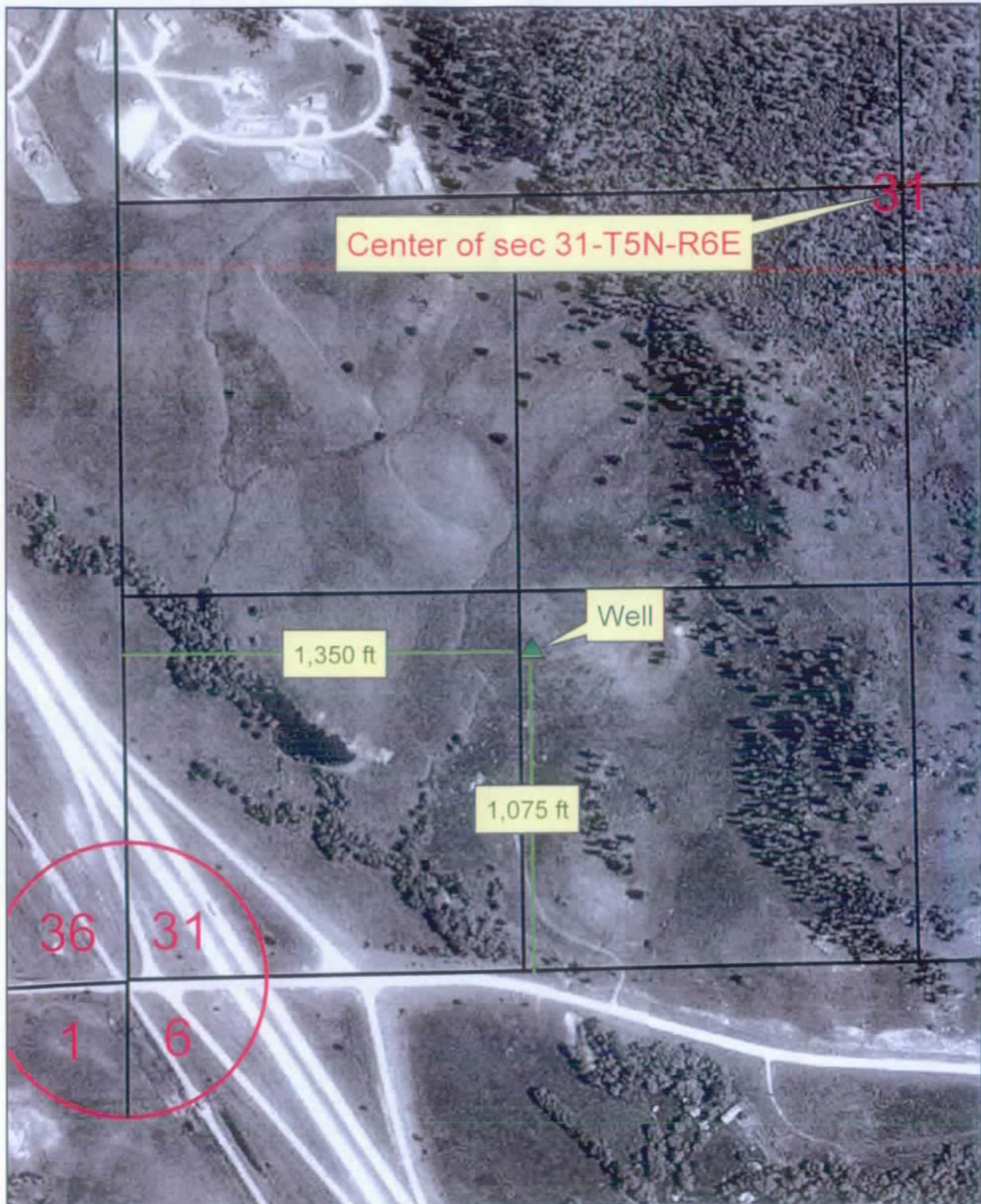


Garland Erbele, Chief Engineer
Water Rights Program

Scale: 1 inch equals 497 feet

350

Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:

Ron Duvall
Ron Duvall, Natural Resources Engineer
Water Rights Program

Diversion point(s) located using GeoExplorer II GPS

Date: Sept 17, 2003

Water Right No. 1689-1

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1689-1**

(1) Jack W Marler, PO Box 320, Ft Meade SD 57741-0320 made Application No. 1689-1, May 10, 1999 for a water permit to divert 0.089 cubic feet of water per second from ground water – one well (Minnelusa Formation), Meade County, South Dakota for commercial and domestic purposes. Permit No. 1689-1, with a priority date of May 10, 1999 was approved July 7, 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 7, 2004 and for the application to beneficial use of water on or before July 7, 2008.

Water Permit No. 1689-1 authorizes a well in the SW ¼ SW ¼ Section 31, T5N, R6E. A field investigation conducted of the water use system found the well to be 30 feet outside of the permitted area.

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed provided certain conditions are met and the potential for interference with other existing diversions is not increased. The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that the change in location of the diversion point does not increase the potential for adverse effects to existing diversions.

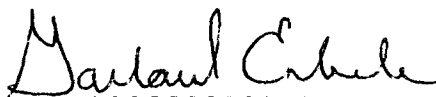
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, Jack W Marler the holder and/or owner of Water Right No. 1689-1 is issued a license, bearing a priority date of May 10, 1999 to appropriate 0.089 cubic feet of water per second from ground water – one well (Minnelusa Formation) for domestic and commercial uses in the Elk View Campground and Resort.

The diversion point is located:

- 1,075 feet N and 1,350 feet E of the SW corner of Section 31, T5N, R6E (SE ¼ SW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1689-1 including the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 1689-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
- The Board is retaining jurisdiction of Permit No. 1689-1 if additional information becomes available that warrants Board action.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 10 2003

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 10 2003

1689-1

Jack W Marler
PO Box 320
Ft Meade SD 57741-0320

Dear Mr. Marler:

Enclosed is your Water License No. 1689-1. This is the final water right document completing your process of obtaining a Water Right. Also included are Receipt No. 416123, a map prepared by the staff engineer who conducted the investigation and a copy of the well log.

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. 1689-1, 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.

Sincerely,

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

enclosures

February 2, 2006

2005 South Dakota Water Use Questionnaire

1689-1

To:

JACK W MARLER
13018 PLEASANT VALLEY RD
STURGIS SD 57785-6678

Address correction requested:

Steve Brown (605-347-69
Elkview Campground
13335 Pleasant Valley Rd
Sturgis, SD 57785

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 1689-1. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: MINNELUSA GROUP
Management Unit: NOT APPLICABLE

County: MEADE
Pumping Pt. Legal: SEC 31-T005N-R06E
Type of Water Use: COMMERCIAL

- 1) Please estimate your year 2005 water use from the above water source: 90,000 gallons
2) If no water use in 2005, please list the reason(s) why in the comments section.

Comments: We sold Elkview Campground in April, 2005. This
usage is an educated "guess" - our home is part
of the 90,000 gal estimate.

Contact Person:

Jack W. Marler

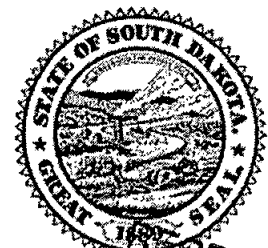
Telephone No:

605-347-2572

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2005 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr



RECEIVED
FEB 15 2006
WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 2006

No. 1689-1

Steve Brown
Elkview Campground
13335 Pleasant Valley Rd
Sturgis SD 57785

Dear Mr. Brown:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1689-1. Recent correspondence with Jack Marler indicates you are now the owner of this water right.

The transfer form should be checked over for accuracy and signed by the new owner. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED
MAR 15 2006
WATER RIGHTS
PROGRAM

No. 1689-1

Date: 3/14/06

I/We request that Water Right/Permit No. 1689-1

formerly owned by: Jack W Marler

be transferred to: (name & address) Elkview Campground LLC - Steve Brown owner/manager
13014 Pleasant Valley Rd, Sturgis - SD 57785
Telephone No.

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

one well - SE ¼ SW ¼ Sec 31-TN-R6E

I/We understand that the validity of Water Right/Permit No. 1689-1 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.

I/We Elkview Campground LLC, the new owner, certify that the above information is true and correct.
Steve Brown owner/manager.

Steve Brown
(Signed by new owner)

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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date MARCH 15, 20 06

RECEIVED OF Elkview Corppground LLC, 13335 Pleasant Valley Rd, Sturgis SD 57785

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1689-1</u>	2	50
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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

02359

By

Harland Erbe
Chief Engineer
gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 22, 2006

1689-1

Steve Brown
Elkview Campground LLC
13014 Pleasant Valley Rd
Sturgis SD 57785

Dear Mr. Brown:

Thank you for following up on the ownership change for Water Right No. 1689-1. The transfer has been completed. The water right formerly listed in the name of Jack W Marler is now listed in the name of "Elkview Campground LLC".

Enclosed is your Receipt No. 02359 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

enclosure