

WATER PERMIT NO. 1692-1

Name of Applicant: Mary Hershey-Brandner

Address: 20536 Hwy 79, Sturgis SD 57785

Phone: 605 347-3023

Amount of Water Claimed: 0.067 (30 gpm)

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial use County: Meade

Type of Waste Disposal System: stabilization pond

Location: 4 miles east of Sturgis

PRIORITY Date Received: 6-11-1999 Fee: \$50

Corrected Application Received: Period of Annual Use: June 1 – September 30

Remarks: for use at Bear Butte Creek Campground

Diversion Point: NE ¼ NW ¼ Sec-T5N-R6E
and SE ¼ SW ¼ Sec 32-T6N-R6E

Land to be Irrigated: NA

Depth of Well: 30 feet deep

Well Driller: Lewis Drilling

Remarks:

Type of Map: aerial

Prepared by: Mark Hurlburt, Meade Co. FSA

Reviewed and the Number Assigned on: 6-14-1999

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

	32				
			T6N-R6E		
			T5N-R6E		
	5				

**SOUTH DAKOTA
WATER PERMIT NO. 1692-1**

Date of first receipt of application June 11, 1999.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1692-1 to Mary Hershey-Brandner, 20536 Hwy 79, Sturgis SD 57785 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. 1692-1 appropriates 0.067 cubic feet of water per second (30 gallons per minute) from two wells (Alluvium) 30 feet deep located within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5-T5N-R6E and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32-T6N-R6E.
2. The water appropriated shall be used for the purpose of supplying water for commercial use and may not exceed the amount of water needed for beneficial use for the Bear Butte Creek Campground.
3. The water is to be used during the following described annual period: June 1 – August 31.
4. The date of approval of Permit No. 1692-1 is July 12, 1999.
5. The date from which applicant may claim right is June 11, 1999.
6. One-fifth of the construction is to be completed on or before January 12, 2002.
7. All construction is to be completed on or before July 12, 2004.
8. Water is to be put to beneficial use on or before July 12, 2008.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

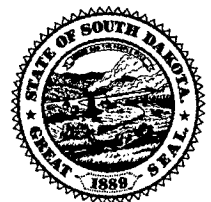
QUALIFICATIONS

1. The wells 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 wells authorized by Permit No. 1692-1 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) pursuant to Section 74:02:04:28.

WATER MANAGEMENT BOARD

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

AUG 3 1999
date



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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1692-1</u>	(office use only) Hydrologic Unit <u>10120202</u>
	Basin <u>Belle Fourche R.</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 Mary Hershey Brandner Phone 605-347-3023
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 20536 - Hwy 79 Sturgis State S.D 57785
(Street, RR, or Box) (Zip Code)
- Amount of water claimed 0.067 *CFS or 30 **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 Wells
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Lot 2 & 3
SE 1/4 NW 1/4, S 1/2 NE 1/4 (unpartitioned) Sec 5 Township 5N Range 6E
NE 1/4 NW 1/4 Sec. 5-T5N-R6E & SE 1/4 SW 1/4 Sec. 32-T6N-R6E County Meade
- County or counties where water will be used Meade
- Annual period during which water is to be used 1st 2 wks of August June 1 - August 31
- 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)
Bear Butte Creek Campground

STATE OF SOUTH DAKOTA)

County of Meade SS

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, Mary Hershey Brandner, 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 Mary Hershey Brandner

Subscribed and sworn to before me this 10th day of June 19 99

Margaret Rickisch
Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 in Depth 30 FT
b) Casing Type PVC Diameter 5 in Thickness 200 PSI
c) Screen Type Slotted PVC Diameter 5 in Thickness 200 PSI
d) Gravel Pack Thickness 2" Length of Gravel Pack 20 FT
e) Depth to Top of Water Bearing Material 15 FT
f) Depth to Water (ground surface to water level) 8 FT
g) Distance to nearest existing domestic well: 200 FT

On applicants property X On property owned by others _____



2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Stabilization pond + Wastewater hauled out.
b) System Capacity (gallons) _____ c) Year Constructed 1983
d) Connected to the City of N/A Sanitary System.

3. Dugout Information

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

4. Water Storage Dams

N/A

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

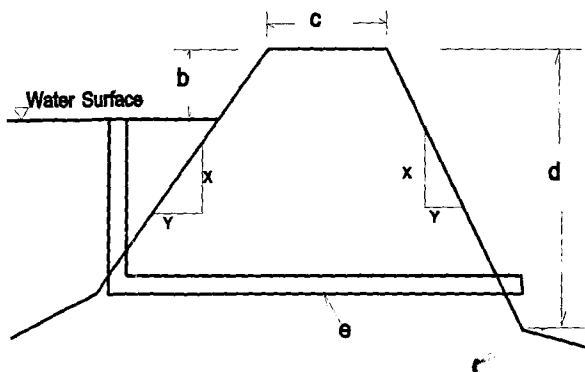
Upstream _____

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

NE 416137

Pierre,

June 11, 19 99

RECEIVED OF Bear Butte Creek Campground (Mary Hershey-Brandner), HC 77, Box 24, Sturgis, SD 57785
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>1692-1</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>1692-1</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)

T 1053

20.6

(5-6)

24.1

① N

K4

1692-1

T 1069

5

Mud Creek Farm & Lumber Agency

26.4

T 1068

71069

71068

251

20.6

③

24.1



Myk Hulbert
Neak Co
Farm
St. Louis, Mo
Agent

4

(5-6)

天

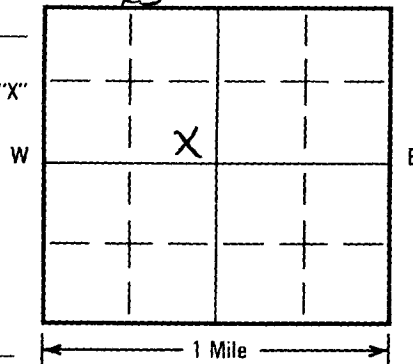
1092-1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 NW 1/4 Sec 14 Twp 5N Rg 6E
County Mead

Please mark well location with an "X"



Well Completion Date

7-5-99

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 300 ft. from Lagoon (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Cable Tool

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200 LB/FT</u>	<u>5 IN</u>	<u>12 FT</u>	<u>30 FT</u>	<u>8 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>Vulcan</u>	<u>2</u>	<u>Chips</u> lb./gal	<u>12</u> ft	<u>14</u> ft
<u>Packman</u>	<u>6</u>	<u>18</u> lb./gal	<u>0</u> ft	<u>14</u> ft

Describe grouting procedure Tremi

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 5 IN Length _____ FEET

Material PVC

Slot Size 1025 Set From 15 Feet to 30 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: _____

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Mary Hershey Brandner
Business Name: Bear Butte Campground
Address: HC 77 Box 24
Sturgis SD 57785

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Clay</u>	<u>0</u>	<u>11</u>
<u>soil</u>	<u>11</u>	<u>14</u>
<u>gravel</u>	<u>14</u>	<u>20</u>
<u>Shale</u>	<u>20</u>	<u>30</u>

STATIC WATER LEVEL 5 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: 38 gpm @ 17 FT

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped

_____ ft. After _____ Hrs. pumped

If pump installed, pump rate _____

REMARKS

This well was drilled under license # 492

And this report is true and accurate.

Drilling firm Lewis Drilling

Signature of License Representative: Chare Lewis

Signature of Well Owner or Equitable Property Holder: Mary Hershey-Brandner

Date: 7-8-99



Fax 773-4068

LEWIS DRILLING

POBx 1016 ~~962-5781~~ • Sturgis, SD 57785 • (605) 347-5446

— Specialty Drilling —

6-29-99

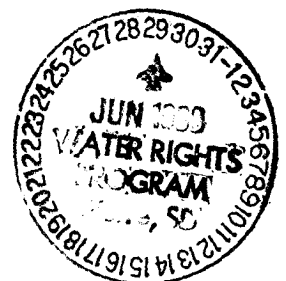
Page 1 of 2

Water Rights
 atten Ken Buchler

Request For Variance To
 construct water well
 at Bear Butte Campground
 SE NW 34 SW 6E Mead Cty,
 This Drilled well will Replace
 a 36" concrete Cased Bored well That
 occasionally Tests With coliform Bacteria,
 Proposed well will Be 100 FT From abandoned well
 and 100 FT Farther From Lagoon.

Thank You
 Duane Lewis.

Water Wells - Placer Drilling - Monitor Wells



Fax 273-4068

6-29-99

LEWIS DRILLING

P.O. Box 1016 383 Lazelle • Sturgis, SD 57785 • (605) 347-5446

— Specialty Drilling —

Page 2 of 2

Proposed Newell
30 FT.

300 FT

200 FT

36' well - 30 FT
To Be abandoned



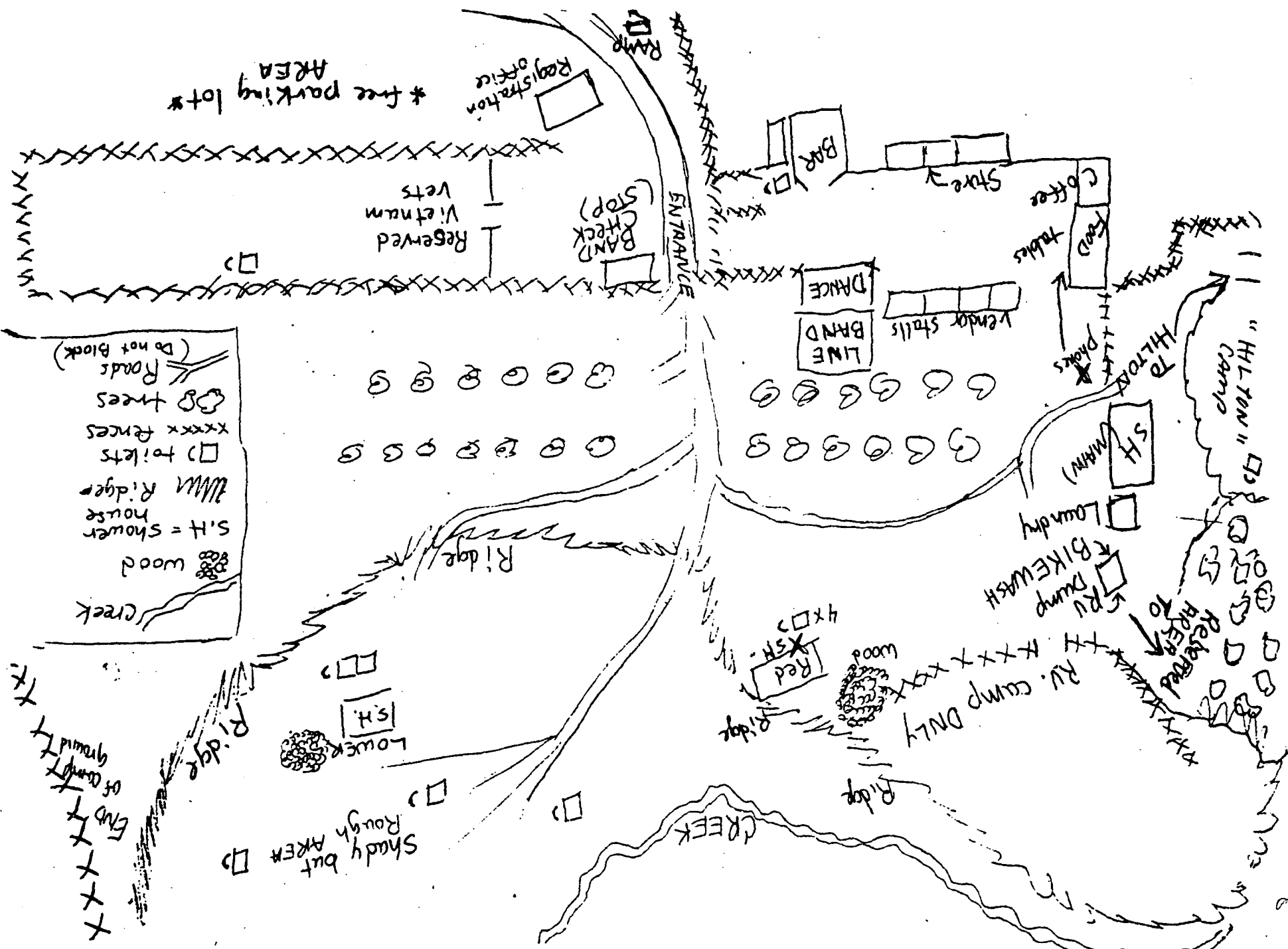
375 FT

5' Existing well
30 FT

N
Bear Butte Campground SE NW 1/4 SW 6E

Water Wells - Placer Drilling - Monitor Wells

* indicates a well



Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 1692-1, Mary Hershey-Brandner

ADDRESS: COUNTY: Meade

DATE: June 15, 1999 TELEPHONE: 605 347-3023

RE: Call regarding the second well

COMMENTS:

Ken Buhler in preparing a report on Water Permit Application No. 1692-1 noted that the application contained information on only one of the wells. I called Mrs. Brandner to find out information on the second well. She stated they are having a new well drilled by Duane Lewis that will be to the same depth and have the same well construction as the well constructed in 1995. There currently is an old well on the property that will be plugged by the well driller when he is on site.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME:





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 22, 1999

Mary Hershey-Brandner
Bear Butte Creek Campground
20536 - Hwy 79
Sturgis SD 57785

Dear Mrs. Hershey-Brandner:

Enclosed is a copy of the report and recommendation prepared on your Water Right Permit Application No. 1692-1. The application is currently being public noticed. Also attached is the receipt for the application and licensing filing fees.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosure

WATER PERMIT APPLICATION NO. 1692-1
MARY HERSHEY-BRANDNER
JUNE 16, 1999

Water Permit Application No. 1692-1 proposes to appropriate 0.067 cubic feet of water per second (cfs)[30 gallons per minute] from one existing well and a proposed well located in the NE¼ NW¼ Section 5, T5N-R6E or the SE¼ SW¼ Section 32, T6N-R6E. The wells will be completed into alluvium and be approximately 30 feet deep. The water is for commercial use at the Bear Butte Creek Campground.

WATER SOURCE: Alluvium (ALQ)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The well log submitted with this application indicates that the existing well is completed into the alluvium along Bear Butte Creek. The alluvium consists of sand, gravel and boulders with silts and clays. The alluvium is under water table conditions and is hydraulically connected to Bear Butte Creek. The alluvium underlies a fairly extensive area along Bear Butte Creek, however the thickness of the aquifer is unknown, so the recoverable water in storage of the aquifer is also unknown. There are no aquifer test data for the alluvium in this area; therefore, the aquifer transmissivity and storage coefficient are not known.

The Water Rights Program monitors an observation well (MD-98A) completed into the Bear Butte Creek Alluvium less than one half-mile west of this well site (Water Rights, 1999_p). The well was added to the Water Rights' Observation Well Network in December 1998 so a long-term water level trend is not available.

The use of groundwater from the alluvium would affect the stream flow of Bear Butte Creek in a general sense. However, pumping of these wells will not have an adverse affect or even a measurable affect on the streamflow of Bear Butte Creek.

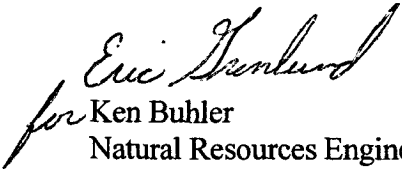
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The Water Rights Program has record of several domestic wells completed into the Bear Butte Creek Alluvium in this area (Water Rights, 1999_a). There are no existing Water Rights/Permits appropriating groundwater from the alluvium within one-quarter mile of this site (Water Rights, 1999_c). This appropriation will not adversely affect adequate wells.

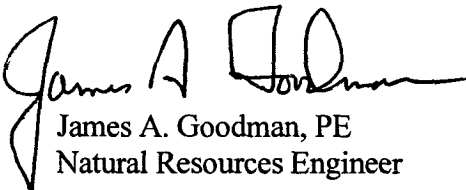
CONCLUSIONS:

1. This application proposes to appropriate 0.067 cfs from 2 wells completed into the alluvium along Bear Butte Creek.
2. One of the wells that is to supply this application was constructed in 1995 and has presumably been used to supply water to the campground since with no reported controversy.
3. There is a reasonable probability groundwater is available for this appropriation.

4. There is a reasonable probability this appropriation can be made with no adverse affect to existing water rights.
5. The alluvium along Bear Butte Creek is hydraulically connected to Bear Butte Creek.
6. Any affect this groundwater appropriation would have on Bear Butte Creek should be negligible.
7. The wastewater disposal system for the campground consists of a stabilization pond and the hauling of wastewater.


for Ken Buhler
Natural Resources Engineer

Approved by


James A. Goodman, PE
Natural Resources Engineer

REFERENCES:

Water Rights, 1999^a, Domestic Well Logs, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

Water Rights, 1999^b, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

Water Rights, 1999^c, Water Permit/Right Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

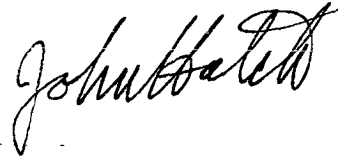
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1692-1, Mary Hershey-Brandner

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. 1692-1, Bear Butte Creek Campground, c/o Mary Hershey-Brandner, 20536 Hwy. 79, Sturgis SD 57785.

The Chief Engineer is recommending APPROVAL of Application No. 1692-1 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 wells 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 new well authorized by Permit No. 1692-1 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) pursuant to Section 74:02:04:28.

See report on application for additional information.



JOHN HATCH, Chief Engineer
June 16, 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 17, 1999

Mary Hershey-Brandner
20536 Hwy. 79
Sturgis, SD 57785

Dear Ms. Hershey-Brandner:

Water Permit Application No. 1692-1 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Meade Co. Times-Tribune printed at Sturgis, SD (Ph # (605) 347-2503). For your information, a copy of the notice on the application is enclosed. A copy of the report and recommendation on this application will be sent to you in the near future. 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 17, 1999

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

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 1692-1 to Appropriate Water to be published twice. Please publish the first notice on June 23, 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 Mary Hershey-Brandner, 20536 Hwy. 79, Sturgis, SD 57785 (Ph # (605) 347-3023).

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. 1692-1

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

Date _____

We are in receipt of your letter of June 17, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 1692-1 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 23, 1999, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1692-1 to Appropriate Water

Notice is given that Mary Hershey-Brandner, 20536 Hwy 79, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.067 cubic feet of water per second (30 gallons per minute) from two wells (Alluvium) 30 feet deep located within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5-T5N-R6E and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32-T6N-R6E. One of the wells is existing and the other is proposed to be constructed. The water is for commercial use at the Bear Butte Creek Campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1692-1 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 12, 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:

June 23, 1999
June 30, 1999

Cost of Printing 36.76

Joan M. Lewis
 (Signature)

Bookkeeper
 (Title)

6/30/99
 (Date Signed)

Water application**NOTICE OF APPLICATION****NO. 1692-1 to Appropriate Water**

Notice is given that Mary Hershey-Brandner, 20536 Hwy 79, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.067 cubic feet of water per second (30 gallons per minute) from two wells (Alluvium) 30 feet deep located within the NE 1/4 NW 1/4 Section 5-T5N-R6E and the SE 1/4 SW 1/4 Section 32-T6N-R6E. One of the wells is existing and the other is proposed to be constructed. The water is for commercial use at the Bear Butte Creek Campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1692-1 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 12, 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 23 and 30, 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

June 29, 1999

Duane Lewis
Lewis Drilling
PO Box 1016
Sturgis, SD 57785

Dear Mr. Lewis,

I am writing in response to your June 29, 1999 request for a variance from the SD Well Construction Standards for a proposed well at the Bear Butte Creek Campground (Sec.5, T5N-R6E). Since the Bear Butte Creek Campground does not fit the definition of a "water distribution system" SD Well Construction Standard 74:02:04:24(3b) is not applicable. The appropriate standard is Well Construction Standard 74:02:04:24(1) which requires a minimum of 150 feet between the well and the lagoon. The sketch map you included indicates the proposed well will be approximately 300 feet from the lagoon, therefore a variance is not required for this well placement. If you have any questions, please contact Ken Buhler.

Sincerely,

Jim Goodman, P.E.
Natural Resources Engineer
DENR-Water Rights Program

cc: Mary Hershey-Brandner
Bear Butte Creek Campground
20536- Hwy 79
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

AUG 3 1999

Mary Hershey-Brandner
20536 Hwy. 79
Sturgis, SD 57785

Dear Ms. Hershey-Brandner:

Enclosed is Water Permit No. 1692-1 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

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

Date 11-3-99

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

FROM:

Mary Hershey
(name)
20536-Hwy 79
(address)
Sturgis, S.D. 57785
(city, state, zip)



605.347.3023
(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.

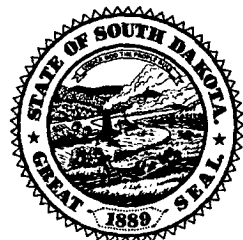
Water Permit No. 1692-1 states that the water use system is to be constructed by July 15, 1999 and water is to be put to beneficial use by 8-2-99.
(date) (date)

The water use system was completed on July 20, 1999.
(date)

Applying the water to beneficial use was completed on 8-2-99.
(date)

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

Mary Hershey
(signature)



Permit No. 1692-1
Belle Fourche River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, May 13, 2003, made a thorough examination of the water use system constructed by Mary Hershey-Brandner of 20536 Hwy 79, Sturgis SD 57785 holder of Permit No. 1692-1, bearing the priority of June 11, 1999 authorizing the diversion of 0.067 cu. ft. per second of the waters of ground water (alluvium) for commercial purposes, in Meade County.

Inspection contact & relationship to permit holder, if applicable: **Joel Brandner (Mary also on-site)**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Lewis Drilling
- 2) No. of Wells 2
- 3) Depth(s) 30 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 5 inches
- 2) Length 15 feet
- 3) Type Plastic

Screen:

- 1) Type PVC
- 2) Length 15 feet
- 3) Static water level 5 & 7 feet

Motor/Pump:

- 1) Make Unknown submersibles
- 2) Capacity 30 GPM (combined)

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

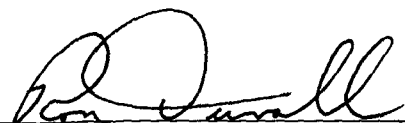
Water is diverted to two (2,500 gallon) storage tanks with 40 water hookups.

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 points of diversion located as follows: North well: 2,400 feet S and 650 feet W from the center of sec 32-T6N-R6E (SE¼SW¼ -- Latitude 44.43174, Longitude -103.42074) South well: 2,500 feet N and 950 feet W from the center of sec 5-T5N-R6E (NE¼NW¼ -- Latitude 44.43078, Longitude -103.42188). The works are capable of diverting and conveying to the place of use 0.067 cu. ft. per second of water which is to be used for commercial purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.067 cfs.

All structures, wells and lands on map Y | Comments or other permit(s) associated with the project: none



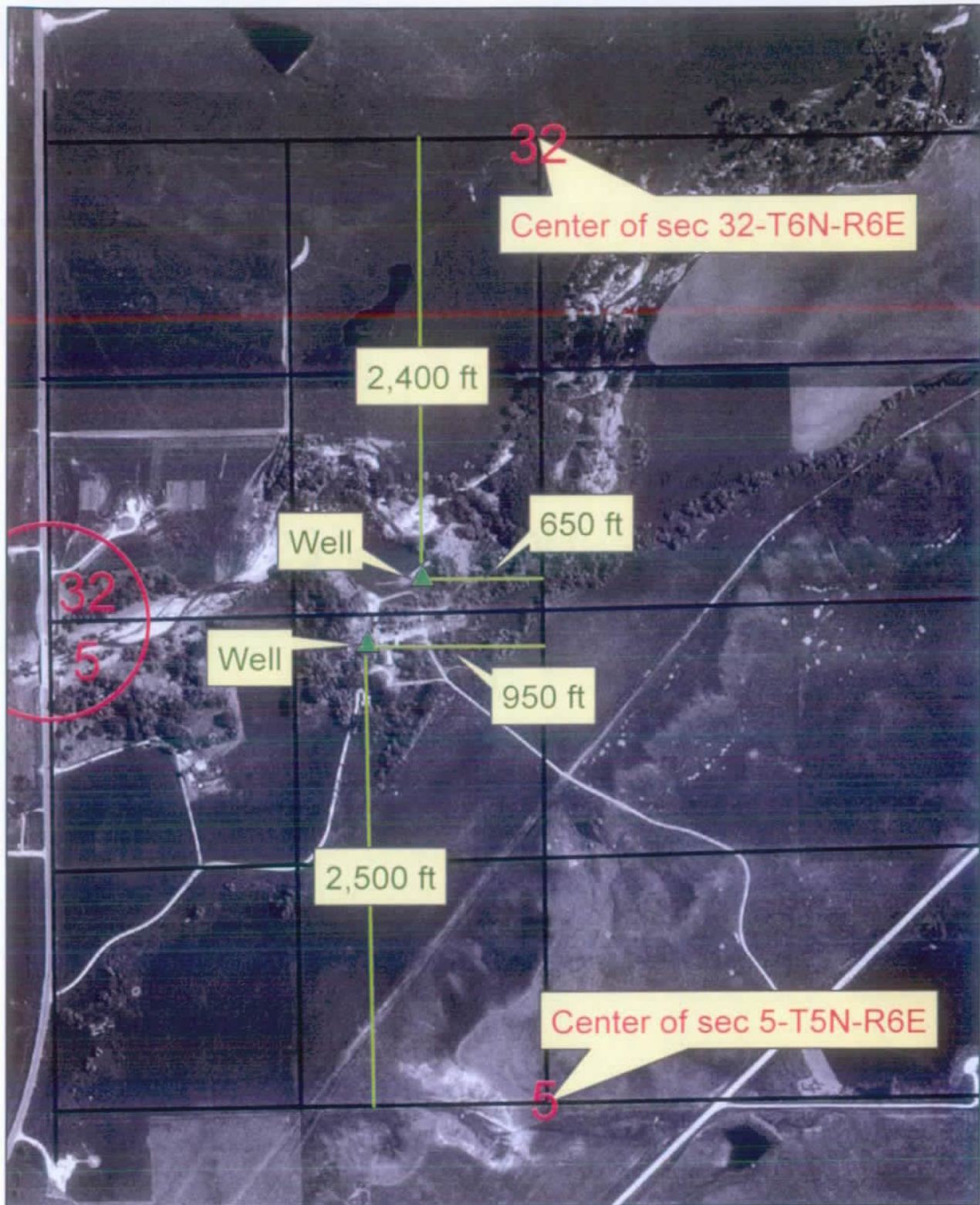
Ron Duvall
 Natural Resources Engineer
 DENR, Water Rights Program

Date report completed: September 15, 2003

Scale: 1 inch equals 803 feet

1,100

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 15, 2003

Water Right No. 1692-1

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1692-1

(1) Mary Hershey Brandner, 20536 Hwy 79, Sturgis SD 57785 made Application No. 1692-1, June 11, 1999 for a water permit to divert 0.067 cubic feet of water per second (30 gpm) from ground water – two wells (Alluvium), Meade County, South Dakota for commercial purposes. Permit No. 1692-1, with a priority date of June 11, 1999 was approved July 12, 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 12, 2004 and for the application to beneficial use of water on or before July 12, 2008.

On November 5, 1999, the permit holder submitted a “*Notice of Completion of Works and Application of Water to Beneficial Use*”. The “*Notice*” indicated the water use system was completed on July 20, 1999 and the water placed to beneficial use on August 2, 1999.

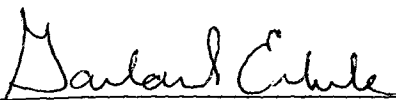
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, Mary Hershey Brandner, 20536 Hwy 79, Sturgis SD 57785 the holder and/or owner of Water Right No. 1692-1 is issued a license, bearing a priority date of June 11, 1999 to appropriate 0.067 cubic feet of water per second from ground water – two wells (Alluvium) for commercial purposes in supplying water to the Bear Butte Campground.

The diversion points are located as follows:

- North well: 2,400 feet S and 650 feet W of the center of Section 32, T6N, R6E (SE $\frac{1}{4}$ SW $\frac{1}{4}$) and
- South well: 2,500 feet N and 950 feet W of the center of Section 5, T5N, R6E (NE $\frac{1}{4}$ NW $\frac{1}{4}$).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1692-1 including the following qualifications:

- The wells 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 wells authorized by Permit No. 1692-1 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) pursuant to Section 74:02:04:28.



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

1692-1

Mary Hershey Brandner
20536 Hwy 79
Sturgis SD 57785

Dear Ms Brandner:

Enclosed is Water License No. 1692-1. This is the final water right document completing your process of obtaining a Water Right. Also enclosed is a map prepared by the staff engineer who conducted the field investigation. You may keep this for your records.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 1692-1, 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