

WATER PERMIT NO. 1696-1

Name of Applicant: Ross Lamphere

Address: Box 445, Sturgis SD 57785

Phone: 605 347-5858

Amount of Water Claimed: 0.09 cfs

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial

County: Meade

Type of Waste Disposal System:

Location: 3 miles east of Sturgis

PRIORITY

Date Received: 9-29-1999

Fee: \$50.00

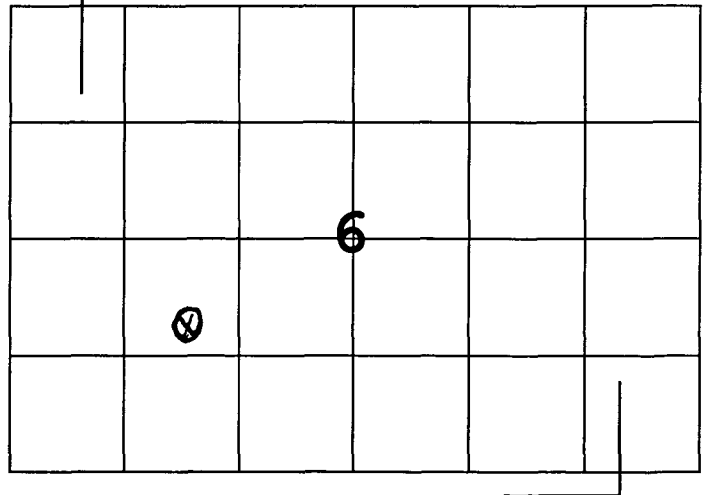
Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks: for use in at a campground

Diversion Point: NW ¼ SW ¼ Sec 6-T5N-R6E

Land to be Irrigated: NA



Depth of Well: 15 feet deep

Well Driller: unknown

Remarks:

Type of Map: aerial

Prepared by: Majorie Duprel, FSA

Reviewed and the Number Assigned on: 10-7-1999

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 1696-1

Date of first receipt of application September 29, 1999.

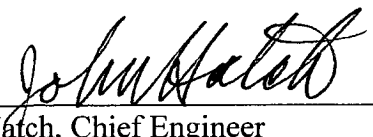
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1696-1 to Ross Lamphere, Box 445, Sturgis SD 57785 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1696-1 appropriates 0.09 cubic feet of water per second (40 gallons per minute) from one well (Quaternary Alluvium) 15 feet deep located in the NW ¼ SW ¼ Section 6-T5N-R6E.
2. The water appropriated shall be used for the purpose of supplying water for a campground and may not exceed the amount of water needed for beneficial use for commercial use purposes.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 1696-1 is December 20, 1999.
5. The date from which applicant may claim right is September 29, 1999.
6. One-fifth of the construction is to be completed on or before June 20, 2001.
7. All construction is to be completed on or before December 20, 2004.
8. Water is to be put to beneficial use on or before December 20, 2008.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Permit No. 1696-1 is subject to the permit holder conducting monthly coliform bacteria and annual nitrate sampling of the water supply. The monthly coliform bacteria sampling and analysis shall begin a month prior to the campground opening each season and continue until the close of operation. Analysis of the water samples shall be performed at a certified drinking water laboratory. Notice shall be posted as the campground in a conspicuous place if the water fails to meet safe drinking water standards.

WATER MANAGEMENT BOARD

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

DEC 30 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

(office use only)

No. 1696-1 Hydrologic Unit 10/20202
Basin Belle Fourche River
Newspaper Meade Co. Times Tribune, Sturgis, SD



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

Check use(s) of water:

☐ Municipal ☒ Suburban Housing ☐ Recreational ☐ Institutional
☐ Rural Water System ☒ 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.) _____

1. Name of Applicant Ross Lamphere Phone 605-347-5858
(check one) Owner Tenant/lessee
Mailing Address Box 445 Sturgis SD State 57785
(Street, RR. or Box) (Zip Code)

2. Amount of water claimed 0.09 *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)
NW1/4 of SW1/4 section 6 T5N R6E
County Meade

5. County or counties where water will be used Meade

6. Annual period during which water is to be used 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)

see attachment

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, Ross Lamphere, 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 Ross Lamphere
Subscribed and sworn to before me this 28th day of Sept 19 99

Oliver Nelson
exp 5-15-2002

7. Give a description of the project.

This application for permit to appropriate water is for the purpose of supplying water to a campground. The source of water is from an existing well that was drilled for domestic use sometime in the early 1960's. The exact diameter and depth of the well when drilled is not known. The well is cased with hyalite tile that is 20" in diameter. It is approximately 7 feet from the ground level to the water level. The water is approximately 5 feet deep with the water bearing material being alluvium. This well is approximately 400' from our nearest well. I do not know of any other domestic wells on other property but would be over 1/4 mile. I am writing this well information rather than on your form since it is not really new construction.

email lamphere@rapidnet.com



Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

existing well.

- a) Drill Hole Diameter 20" Depth 15
- b) Casing Type poly-Lc Diameter 20" Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) ~ 7'
- g) Distance to nearest existing domestic well:
- On applicants property 400' On property owned by others over 1/4 mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) To be constructed as recommended
- b) System Capacity (gallons) _____ Year Constructed 1999-2000
- c) Connected to the City of _____ Sanitary System

3. Dugout Information

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

4. Water Storage Dams

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

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

- b) Freeboard _____
- c) Crest Width _____
 Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
 If pipe, diameter _____
- f) Secondary Spillway Capacity _____
 Spillway Width _____
- g) X & Y Slope _____
 Upstream _____
 Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NC 416206

Pierre, September 29, 19 99

RECEIVED OF Ross Lanphere, Box 445, Sturgis, SD 57785
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>1696-1</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>1696-1</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

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



Gronlund, Eric

From: Gronlund, Eric
Sent: Wednesday, November 10, 1999 11:36 AM
To: 'lamphere@rapidnet.com'
Subject: Water right permit Application

The Chief Engineer has reviewed your water right permit application for use of the existing 15 foot well at the proposed campground. We have some concerns and are reluctant to recommend approval of the application because of public interest considerations. Let me explain.

This is a 15-foot deep well completed into the alluvium along Bear Butte Creek. The well was constructed in the 1960's. The construction of the well does not meet current well construction standards for public water supply wells or any other well which require water permits. As a commercial use of water, a water right permit is required for this use.

The well as constructed is vulnerable to contamination. In the past, the Water Management Board has shown an interest to ensure that safe water be supplied to citizens when making determinations on whether to approve water right permits.

Another issue, and you would know more about your specific situation, is that historically the alluvium along creeks throughout the Black Hills have diminished water supplies during drought periods and may not be a reliable source during such times.

We suggest that you consider the alternative of constructing a deeper well to be the water supply for the campground. Assuming water is available from this formation at your location, this would likely be a more reliable and not have the water quality concerns. However, I do understand that you may have concerns with cost expenditure required for drilling a new well.

If this is something you may consider, we can talk about amending your application for a deeper well.

At a minimum for the existing well if we are to recommend approval we would include a condition requiring water sampling.

Ultimately, the Water Management Board make the determination on whether to approve, defer or deny the application. I just wanted to have some dialogue with you prior to finalizing any recommendation and since you are hard to get ahold of during the day, I decided to e-mail you.

Please contact me when it's convenient for you so that we may discuss this further.

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 1696-1, Ross Lamphere

ADDRESS: COUNTY: Meade

DATE: 11/12/99 TELEPHONE:

RE: Call from Mr. Lamphere

COMMENTS:

Mr. Lamphere called in regards to the e-mail that I sent him on 11/10/99 regarding concerns we had with the well.

Mr. Lamphere stated that his long rang plan is to construct a deeper well for the campground. But that may be over five years from now. He stated that he is concerned with providing safe water to the public. As part of his state permit from the Health Department to operate the campground he is required sample water and have it analyzed. He is certainly willing to meet any type of sampling as a condition on his water permit.

I stated that I would talk to the Chief Engineer about his application.

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: Eric Handlund

Gronlund, Eric

From: Gronlund, Eric
Sent: Wednesday, November 17, 1999 2:09 PM
To: 'lamphere@rapidnet.com'
Subject: Water right permit application for campground

Mr. Lamphere:

I had an opportunity to discuss your water right permit application with the Chief Engineer. I believe the Chief Engineer is willing to recommend approval with a condition that water sampling and analysis take place to ensure safe potable water. I believe based on our discussion that this is also a requirement of campground permit through the State Health Department.

By next week we will be sending you the staff report, recommendation and public notice for the application. The public notice will also be sent to the newspaper with instruction on publishing. A letter to you will state you will need to call the newspaper to authorize publication and arrange for payment since this is your notice.

We remain concerned about the vulnerability of this well. At some time in the future we think a deeper well may be a better option but are not making that a requirement of our approval recommendation on this permit. Please be aware that in the future if you do decide to drill a deeper well, that since the well is in a different formation a new water right permit will be required.

Thank you for your explanation and your commitment to ensure a safe water supply to your customers. If you ever have any question on water right permitting issues, do not hesitate to contact me.

Eric Gronlund
Water Rights Program
605 773-3352

WATER PERMIT APPLICATION NO. 1696-1

Ross Lamphere
OCTOBER 26, 1999

Water Permit Application No. 1696-1 proposes to appropriate 0.09 cubic feet of water per second (40 gallons per minute) from one existing well 15 feet deep located in the NW ¼ SW ¼ Section 6, T5N-R6E. The water is for commercial use at a campground.

AQUIFER: Quaternary Alluvium (ALQ)

GENERAL:

A well completion report is not available for this well. The information provided with this application indicates the well is approximately 15 feet deep, has a static water level of approximately seven feet below grade and is cased with 20-inch diameter Haydite casing. A review of the areal geology (Darton, 1925), suggests the well was completed into the alluvium along Bear Butte Creek. This alluvium consists of sand, gravel and boulders with silts and clays overlying the Graneros Shale. 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, (approximately 1,450 acres from the Cretaceous outcrop (the hogback) east of Sturgis to the Highway 79 bridge), however, the thickness of the aquifer is unknown, so the recoverable water in storage of the aquifer is unknown. There are no aquifer test data for the alluvium in this area; therefore, the aquifer transmissivity and storage coefficient are not known.

Recharge to the aquifer is accomplished through precipitation falling directly on the alluvium, runoff from surrounding areas, and streamflow losses from Bear Butte Creek. Recharge to the aquifer has not been quantified.

There are two other Water Rights/Permits appropriating water from this alluvial aquifer. They are 1384-1, Mead School District 46-1; and 474-1 Ross Lamphere. The use of groundwater from the alluvium would affect the stream flow of Bear Butte Creek in a general sense. However, due to the nature of the applicant's well (i.e. the well only penetrates the water table of the aquifer a few feet) excess drawdown, or lowering of the potentiometric surface in the area would adversely effect this well before the cone of depression caused by pumping of this well would have an adverse affect, or even a measurable affect on the streamflow of Bear Butte Creek.

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_b). The well was added to the Water Rights' Observation Well Network in December 1998 so a long-term water level trend is not available.

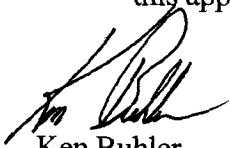
AFFECTS ON EXISTING RIGHTS:

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). The nearest appropriation from the alluvium is 1384-1 Meade School District 46-1, located approximately ¾ mile west of this well site. This appropriation will not adversely affect adequate wells.

Existing appropriations for irrigation from Bear Butte Creek total approximately 10 cfs. These are located downstream from this well site. The diversion proposed by this application, 0.09 cfs from ground water, is not expected to have a measurable affect on the flows of Bear Butte Creek.

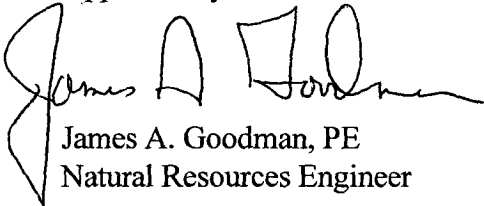
CONCLUSIONS:

1. There is a reasonable probability groundwater is available for this appropriation.
2. The aquifer is under water table conditions and drawdown due to this diversion is not expected to adversely affect adequate wells in the area.
3. The well that is to be used for this permit was constructed in the 1960's using Hydite casing. In 1992, the Water Management Board adopted SD Well Construction Standard 74:02:04:46 which requires that "Precast curbing or concrete curbing may not be used for public water supply wells or any other wells which require water permits."
4. There is a reasonable probability this requested appropriation will not exceed the average annual recharge to the alluvium.
5. The use of groundwater from the alluvium may affect water flows in Bear Butte Creek. However, this appropriation will not have a measurable affect on the stream flow.



Ken Buhler
Natural Resources Engineer

Approved by



James A. Goodman, PE
Natural Resources Engineer

REFERENCES:

- Darton, N.H., Paige, S., 1925, Geologic Atlas of the United States, Central Black Hills Folio, USGS Folio No. 219.
- Rahn, P.H., Gries, J, 1973, Large Springs in the Black Hills, South Dakota and Wyoming, Report of Investigations No. 107, SDSM&T, SD Geological Survey, Vermillion, SD
- Water Rights Program, 1999, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program, 1999, "Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program, 1999, "Water Permit Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1696-1, Ross Lamphere**

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. 1696-1, Ross Lamphere, Box 445, Sturgis SD 57785.

The Chief Engineer is recommending APPROVAL of Application No. 1696-1 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. Permit No. 1696-1 is subject to the permit holder conducting monthly coliform bacteria and annual nitrate sampling of the water supply. The monthly coliform bacteria sampling and analysis shall begin a month prior to the campground opening each season and continue until the close of operation. Analysis of the water samples shall be performed at a certified drinking water laboratory. Notice shall be posted as the campground in a conspicuous place if the water fails to meet safe drinking water standards.

See report on application for additional information.



JOHN HATCH, Chief Engineer
November 22, 1999

NOTE: If the permit holder plans to construct a deeper well, the Water Rights Program will need to be contacted prior to drilling and a determination made on whether a new water right permit is necessary.



**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.

November 24, 1999

Ross Lamphere
Box 445
Sturgis, SD 57785

Dear Mr. Lamphere:

Water Permit Application No. 1696-1 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, 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

November 24, 1999

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

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 1696-1 to Appropriate Water to be published twice. Please publish the first notice on December 1, 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 Ross Lamphere, Box 445, Sturgis, SD 57785 (Ph # (605) 347-5858).

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
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 1696-1

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

Date _____

We are in receipt of your letter of November 24, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 1696-1 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 December 1, 1999, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1696-1 to Appropriate Water

Notice is given that Ross Lamphere, Box 445, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.09 cubic feet of water per second (40 gallons per minute) from one well (Quaternary Alluvium) 15 feet deep located in the NW ¼ SW ¼ Section 6-T5N-R6E. The water is for commercial use at a campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1696-1 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 December 20, 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.



AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF MEADE

Joan M. Lewis, being duly sworn, says: That the Meade County Times-Tribune, is and, during all the times hereinafter mentioned, was a legal newspaper as defined in SDCL 17-2-2, as amended, published at Sturgis, Meade County, South Dakota, by Dickson Media, Inc.; that affiant is and, during all of said times, was employed as an accountant by the publisher of such newspaper and has personal knowledge of the facts stated in the affidavit; that the notice, order or advertisement, a printed copy of which is attached, was published in said newspaper for successive issues, bearing the following dates:

December 1 199 9 _____ 199 _____
December 8 199 9 _____ 199 _____
_____ 199 _____ 199 _____
_____ 199 _____ 199 _____
_____ 199 _____ 199 _____

that the full amount of the fee charged for publishing the same, to-wit, the sum of \$ 35.01, insures solely to the benefit of the publisher of said newspaper; that no agreement or understanding for the division of the fee has been made with any person, and that no part of the fee has been agreed to be paid to any other person.

Joan M. Lewis
Bookkeeper

Subscribed and sworn to before me this

8th day of December, 1999

Sharon Allison
Notary Public, South Dakota

Sharon Allison
Notary Public
My commission expires March 22, 2001

Water permit

NOTICE OF APPLICATION NO. 1696-1 to Appropriate Water

Notice is given that Ross Lamphere, Box 445, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.09 cubic feet of water per second (40 gallons per minute) from one well (Quaternary Alluvium) 15 feet deep located in the NW 1/4 SW 1/4 Section 6-T5N-R6E. The water is for commercial use at a campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1696-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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Publ Dec. 1 and 8, 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

DEC 30 1999

Ross Lamphere
Box 445
Sturgis, SD 57785

Dear Mr. Lamphere:

Enclosed is Water Permit No. 1696-1 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. 1696-1
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, 17 September 2007, made a thorough examination of the water use system constructed by Ross Lamphere of PO Box 445, Sturgis, SD. 57785 holder of Permit No. 1696-1, bearing the priority of 29 September 1999 authorizing the diversion of 0.09 cu. ft. per second of the waters of the Quaternary Alluvium for commercial purposes, in Meade County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: unknown
- 2) No. of Wells 1
- 3) Depth(s) approximately 15 feet
- 4) Well log is available N
- 5) Comment: This is an old well being put to a commercial use

Casing:

- 1) Diameter unknown inches
- 2) Length unknown feet

Pump:

- 1) Make Grundfos
- 2) Capacity 25 GPM

Motor:

- 1) Make Franklin

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

- 1) Type PVC
- 2) Size 2 inches
- 3) Length 500 feet

C. Compliance with Permit Requirements:

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

Report of Examination of Works

Permit No. 1696-1

The system is in good condition with the point(s) of diversion located as follows: NW ¼ SW ¼ Sec 6-T5N-R6E, approximately 263 feet west and 1766 feet north of the south west corner of section 6, N 44.42133 Latitude and W -103.44720 Longitude. The works are capable of diverting and conveying to the place of use 0.06 cu. ft. per second of water which is to be used for commercial use

The license should be issued for 0.06 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project: Pump information provided by Mike Deutch of Cimarron Drilling



Mark Costello
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 19 October 2007



1696-1

Ross Lamphere
PO Box 455
Sturgis, SD. 57785



Mark Costello

Mark Costello
Natural Resources Engineer
SD DENR, Water Rights
19 October 2007

0 500 1,000 2,000 3,000
Feet



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1696-1

(1) Ross Lamphere, PO Box 445, Sturgis SD 57785 made Application No. 1696-1, September 29, 1999 for a water permit to divert 0.09 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for commercial purposes. Permit No. 1696-1, with a priority date of September 29, 1999 was approved December 20, 1999 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 20, 2004 and for the application to beneficial use of water on or before December 20, 2008.

(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, the holder and/or owner of Water Right No. 1696-1 is issued a license, bearing a priority date of September 29, 1999 to appropriate 0.06 cubic feet of water per second from groundwater (one well) for commercial purposes.

The diversion point is located: 263 feet west and 1,766 feet north of the southwest corner of Section 6-T5N-R6E (NW ¼ SW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1696-1 including the following now applicable 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.
- Permit No. 1696-1 is subject to the permit holder conducting monthly coliform bacteria and annual nitrate sampling of the water supply. The monthly coliform bacteria sampling and analysis shall begin a month prior to the campground opening each season and continue until the close of operation. Analysis of the water samples shall be performed at a certified drinking water laboratory. Notice shall be posted at the campground in a conspicuous place if the water fails to meet safe drinking water standards.

Garland Erbe

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

NOV 05 2007

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

NOV 05 2007

1696-1
1804-1

Ross Lamphere
PO Box 445
Sturgis SD 57785

Dear Mr. Lamphere:

Enclosed are Water License Nos. 1696-1 and 1804-1. These are the final water right documents completing your process of obtaining a Water Right. Also, included with the licenses are maps prepared by the staff engineer who conducted the investigations.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 1696-1 and 1804-1, 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 Licenses, 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