

WATER PERMIT NO. 1747-1

Name of Applicant: Elizabeth A Manley

Address: RR 2 Box 107, Whitewood SD 57793

Phone: 605 347-2118

Amount of Water Claimed: 0.10 cfs

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial

County: Meade

Type of Waste Disposal System: septic tank and drain field

Location: 3 miles north of Sturgis

PRIORITY

Date Received: 3-13-2001

Fee: \$50

Corrected Application Received: 3-19-2001

Period of Annual Use: Jan 1 - Dec 31

Remarks: for use a Rolling Thunder Campground

Diversion Point: NW ¼ NW ¼ (Lot 6) Sec 25-

T6N-R5E

Land to be Irrigated: NA

Depth of Well: 600 feet

Well Driller: : Taylor Drilling

Remarks: well not constructed yet

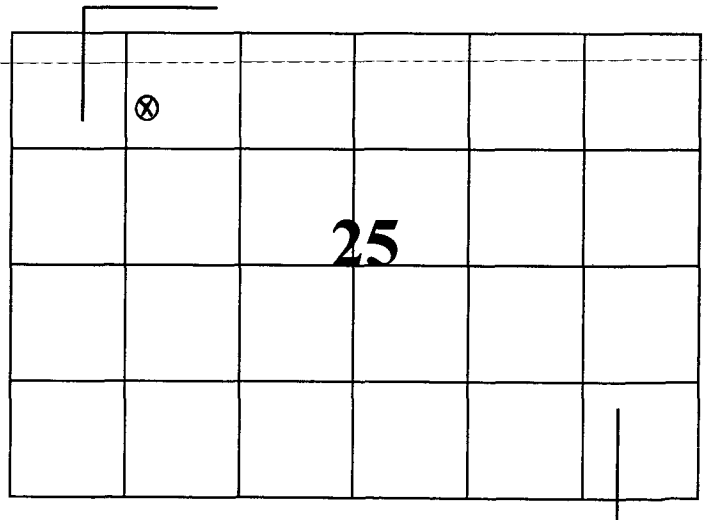
Type of Map: plat

Prepared by: Ricky J Bush, P.E.

Reviewed and the Number Assigned on: 3-19-2001

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



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

Amended by fax on 5/11/01

Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

(office use only)
No. 1747-1 Hydrologic Unit
Basin Belle Fourche R.
Newspaper Meade Co Times Tribune, Sturgis



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 Elizabeth A Manley Phone 605 347-2118
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address RR 2 Box 107 Whitewood State SD 57793
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.10 *CFS or 45 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply well - Minnetonka Formation
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well
lot 6 Section 25, T6N, R. 5E BHM
(NW1/4 NW1/4) County MEADE
- County or counties where water will be used MEADE
- Annual period during which water is to be used Seasonal 2001 Jan 1 - Dec 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)
Campground - Rolling Thunder

Colorado
STATE OF ~~SOUTH DAKOTA~~ SS
County of Douglas

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)

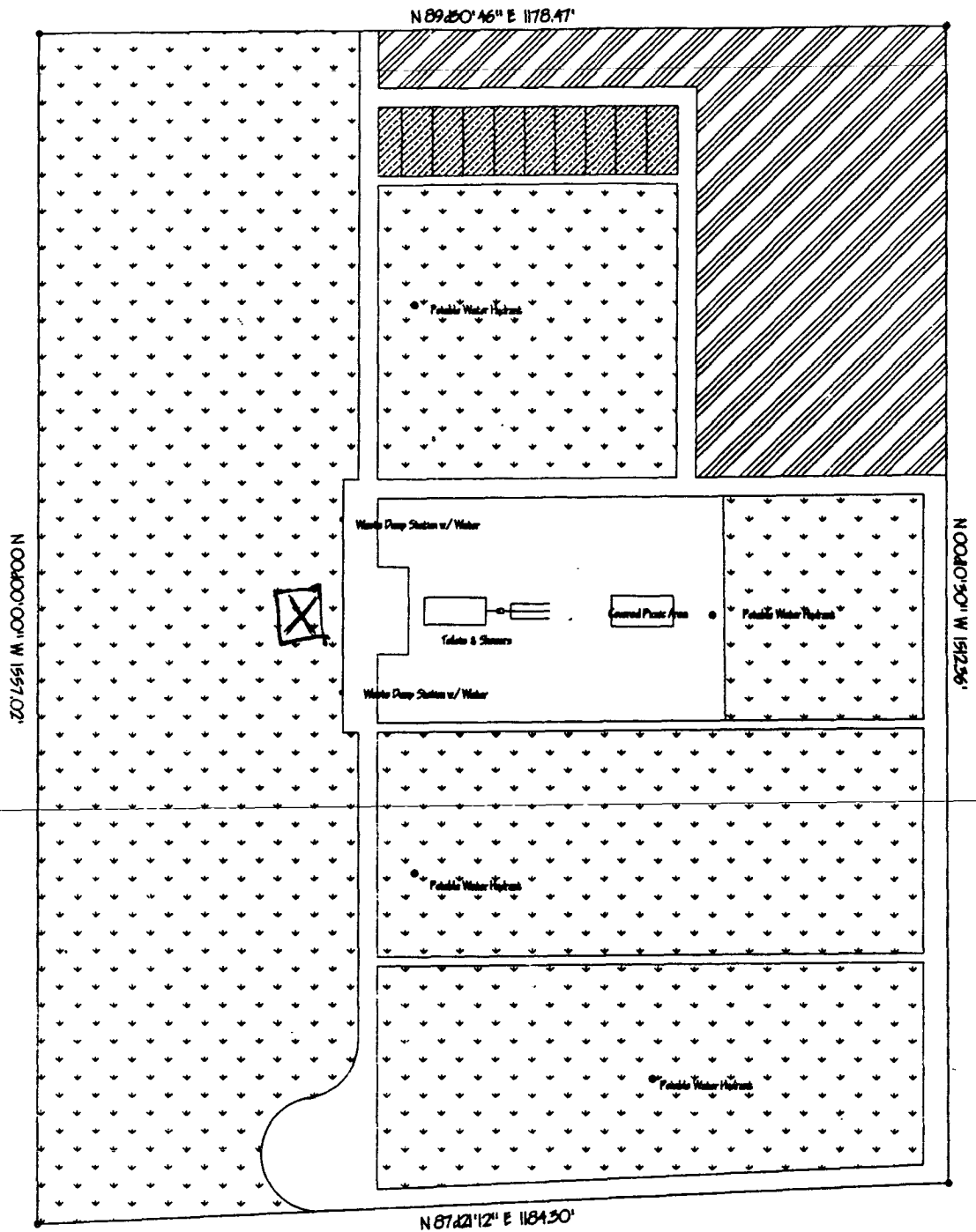
I, Elizabeth Manley, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Elizabeth A Manley

Subscribed and sworn to before me this 14 day of February 2001

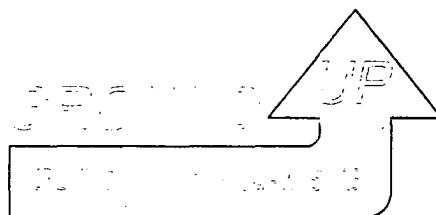
Brendy J Schwartz
Notary Public signature

06/16/03



-  Common Ground Areas
-  Camping Site Areas
-  Private Ground Area
-  R.V. Camping Site

Tom Watson
(605)-347-4482



Plat Plan	
Rolling Thunder Campground	
Scale 1" = 50'	

**SOUTH DAKOTA
WATER PERMIT NO. 1747-1**

Date of first receipt of application March 13, 2001.

Date of return to applicant for corrections, amendments or changes March 13, 2001.

Date of receipt of corrected application May 11, 2001.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1747-1 to Elizabeth A. Manley, RR 2 Box 107, Whitewood SD 57793 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. 1747-1 appropriates 0.10 cubic feet of water per second (45 gallons per minute) from one well (Minnelusa Formation) located in Government Lot 6 Section 25-T6N-R5E.
 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 Rolling Thunder Campground.
 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. 1747-1 is June 25, 2001.
 5. The date from which applicant may claim right is March 13, 2001.
 6. One-fifth of the construction is to be completed on or before December 25, 2003.
 7. All construction is to be completed on or before June 25, 2006.
 8. Water is to be put to beneficial use on or before June 25, 2010.
-
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 1747-1 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.
3. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

WATER MANAGEMENT BOARD

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

JUL 23 2001

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6 1/2 Depth 1750 ft.
- b) Casing Type Steel Diameter 5 1/2" Thickness .275"
- c) Screen Type none Diameter _____ Thickness _____
- d) Gravel Pack none Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 1650 ft.
- f) Depth to Water (ground surface to water level) < 100 ft.
- g) Distance to nearest existing domestic well:
On applicants property none On property owned by others > 1 mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) septic tank, drain field - infiltration system
- b) System Capacity (gallons) _____ Year Constructed 2001
- c) Connected to the City of NONE Sanitary System none

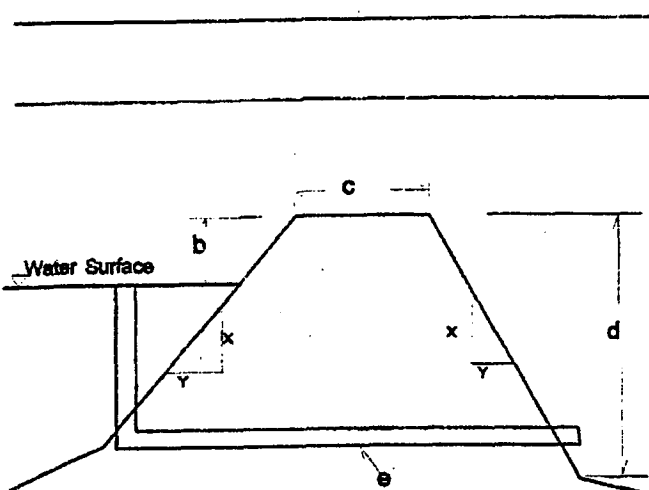
3. Dugout Information

- 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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

1747-1

Location Government Lot 6 NW 1/4 NW 6 Sec 25 Twp 6N Rg 5E
 County Meade

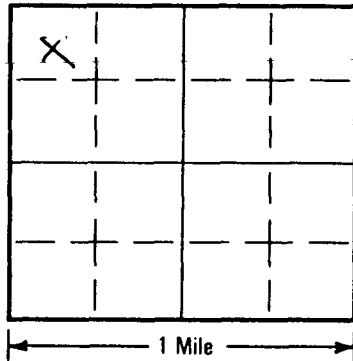
Please mark well location with an "X"

W

E

Well Completion Date

6-22-01



LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 200 ft. from Septic Tank (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary - mud

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
26.4 LB/FT	7 5/8 IN	0 FT	40 FT	9 7/8 IN
15.5 LB/FT	5.5 IN	0 FT	1907 FT	6 3/4 IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
I-II	15	15 lb./gal	0 ft.	40 ft.
I-II	257	15 lb./gal	0 ft.	1907 ft.

Describe grouting procedure Pressure grouted
through casing

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: chlorine solution
☒ NO, Why Not? Pump Has Not Been Installed

Laboratory sent to for water quality analysis

Well Owner: Elizabeth Manley
 Business Name: Rolling Thunder Camp
 Address: 5540 Hwy 86
Franktown, CO 80116

WELL LOG:

DEPTH

FORMATION	FROM	TO
brown clay	0	12
dark gray shale	12	367
Fall River / Lakota	367	640
Sundance / Morrison	640	1240
SPear Fish	1240	1738
MINNAKAHTA	1738	1780
Opelche	1780	1890
Red SS.	1890	1905
Pink S.S.	1905	1935

STATIC WATER LEVEL 0 Feet

If flowing: closed in pressure 22 PSI

GPM flow 20 through _____ inch pipe

Controlled by ☒ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? Yes

WELL TEST DATA:

☐ Pumped Describe: Air Developed

☐ Bailed _____

☒ Other _____

Pumping Level Below Land Surface

600 ft. After 7 Hrs. pumped 80 GPM

100 ft. After 1 Hrs. pumped 37 GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 331

And this report is true and accurate.

Drilling firm Taylor Drilling

Signature of License Representative: K T J

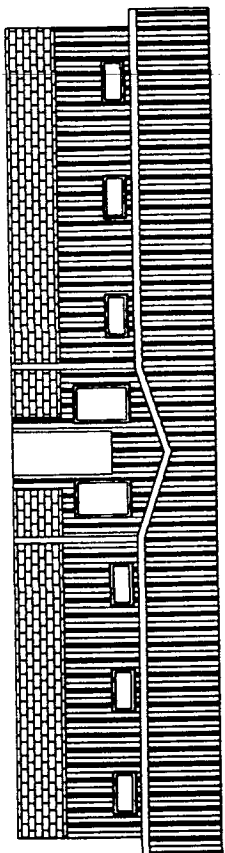
Signature of Well Owner or Equitable Property Holder: _____

RECEIVED

FEB 19 2002

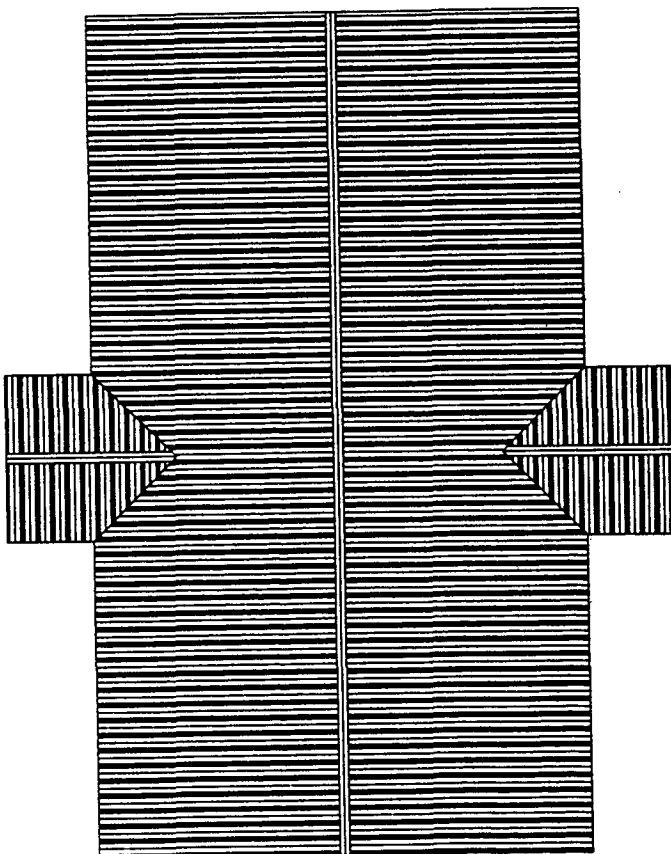
WATER RIGHTS PROGRAM

Date: _____



5. $2x^2 + 3x - 4$

Wadsworth & Spencer Packing Packing Broker Company
--



SITE MAP OF THE
REMAINDER OF GOVERNMENT LOT 6
SECTION 25, T.6N., R.5E., B.H.M.,
MEADE COUNTY, SOUTH DAKOTA.



CONTOUR INTERVAL 10 FEET

COUNTY ROAD 14-L

REMAINDER OF GOVT. LOT 6
41.60 ACRES

TRACT A
FRITZ SUBDIVISION
(PB 20, PAGE 30)

LOT 5A
FRITZ SUBDIVISION
(PB 17, PAGE 225)

GOVT LOT 6

GOVT LOT 5

FT. MEADE MILITARY RESERVATION

PREPARED BY:
BLACK HILLS SURVEYING, INC.
1001 LAYNE ST., SUITE 5
SIOUX FALLS, SD 57105
605-347-4014

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

Nº 416795

Pierre, MARCH 13, 2001

RECEIVED OF Elizabeth Manley, Inc., 5540 E Hwy 86, Franktown, CO 80116
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 _____	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. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	100 00

By Darland Erbe
Chief Engineer

gm

RECORD OF SURVEY

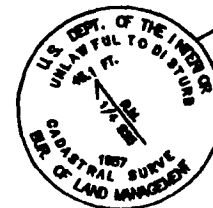
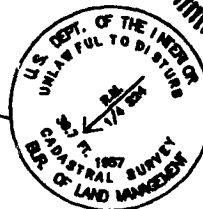
BLACK HILLS SURVEYING, INC.
1001 LAZELLE ST., SUITE 5
STURGIS, SD 57785
PHONE (605)347-4014

LEGAL DESCRIPTION: GOVERNMENT LOT 6
IN SECTION 26, T.6N., R.5E., B.H.M., MEADE COUNTY,
SOUTH DAKOTA, LESS FRITZ SUBDIVISION.

SURVEYOR'S CERTIFICATE

I, RICKY J. BUSH, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNER/S THAT A FIELD SURVEY WAS COMPLETED UNDER MY SUPERVISION AND THAT THIS RECORD OF SURVEY OF SAID FIELD SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IN WITNESS WHEREOF, I HAVE HERUNTO SET MY HAND AND SEAL DATED THIS 20th DAY OF APRIL, 1999.

Ricky J. Bush
RICKY J. BUSH, R.L.S. 6699

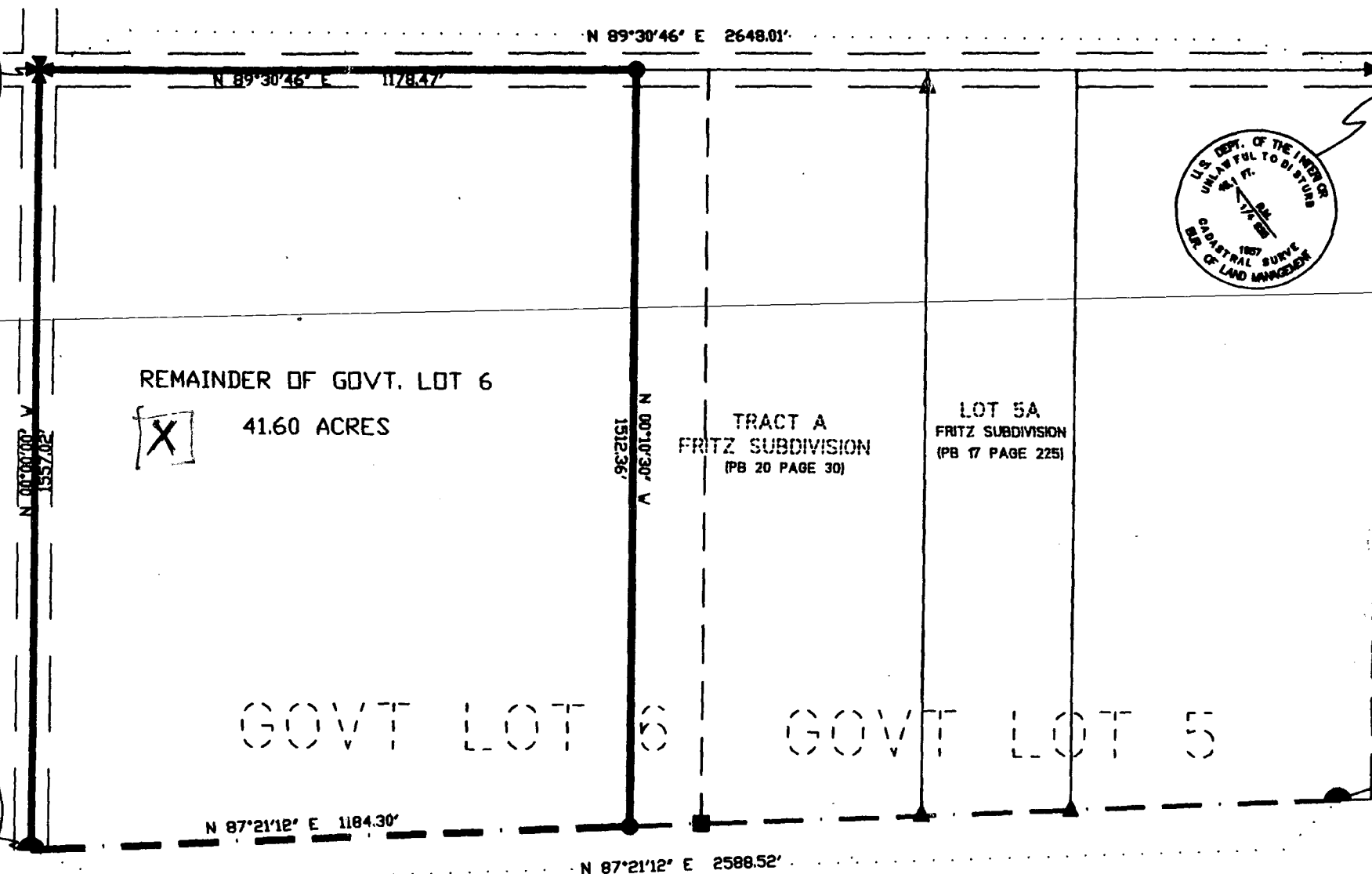


LEGEND

- FOUND 5/8" REBAR
- FOUND BRASS CAP AS NOTED
- FOUND BRASS CAP AS NOTED
- FOUND 5/8" REBAR & CAP "RLS 3721"
- SET 5/8" REBAR & CAP "BUSH RLS 6699"



APRIL 1999



FT. MEADE MILITARY RESERVATION

1747-1

DEWR
523 East Capitol Ave
Pierre, SD 57501-3181



Attn Ken Bahlke

RE: Water Permit Use

The water permit request is for a campground
with 14 showers
 13 toilets
 3 urinals
 18 sinks
 6 potable water hydrants
 2 dump stations

I have filled out the paperwork to the best
of my knowledge. Randy Taylor will be
doing the well for us please contact him for
additional information at 605 348-3600

Thank You
Janet Biscaglia
RR2 Box 107
Whitewood SD 57793
605 347-2118



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 13, 2001

Janet Bisceglia
RR 2 Box 107
Whitewood SD 57793

Dear Ms. Bisceglia:

Thank you for submitting the *Application for a Permit to Appropriate Water* for Elizabeth A Manley (Rolling Thunder Campground).

Enclosed is the map submitted with the application. On the map, please pin point the location of the well and mark that location with an "X". It appears that the well will probably be located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Government Lot 6) Section 25-T6N-R5E. Is this correct?

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

3-15-01

Karen Schlank
Water Rights Program

RE: Rolling Thunder Campground

On March 14, 2001 Randy Taylor - Taylor Drilling 605-348-3600 was out to look at the approximate placement of the water well. To the best of my ability I have marked the enclosed survey and map.

Please feel free to call Randy or myself with any questions

Thank you

Janet Biscaglia
RR2 Box 107
Whitewood SD 57793
605 347-2118



Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 1747-1, Elizabeth Manley

ADDRESS: COUNTY: Meade

DATE: May 10, 2001 TELEPHONE: 347-2118

RE: Call from Janet

COMMENTS:

This application for the Rolling Thunder Campground was public noticed on May 2nd and 9th with the date to intervene being May 21, 2001.

Janet, with the campground, called stating that they Taylor Drilling was out and determined that they could not obtain adequate water from the Inyan Kara Formation. She wanted to know what to do to get their permitting in proper order.

I told her to send in a letter stating withdrawal of the pending application in its current form and their desire to amend the application to be for a Minnelusa Formation well. I stated that they would need to submit proposed well construction and faxed her a copy of the Form 2A - Supplemental Information form. She also indicated that the well would be in the exact same location as proposed on the application. I explained that we'd need to prepare another report on the application and another public notice would be required for which they'd be responsible for payment. She understood they would need to pay for another public notice.

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: Eve Henderson

DENR
523 East Capitol Ave
Pierre, SD 57501-3181



Attn. Eric Greenland

RE: Rolling Thunder Campgrounds

We are requesting to amend the application
for water use from the Inyan Kara Aquifer
to the Minnelusa Formation

It is at the same site with the same
amount of water usage. NW 1/4 NW 1/4 (Gov Lot 6)
Section 25 - T6N - R5E

Thank You
Janet Buscaglia
RR 2 Box 109
White wood SD 57793
605 347-2118



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1747-1, Elizabeth A. Manley**

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. 1747-1, Elizabeth A. Manley, RR 2 Box 107, Whitewood SD 57793.

The Chief Engineer is recommending APPROVAL of Application No. 1747-1 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. 1747-1 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.
3. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

See report on application for additional information.

Garland Erbele, Chief Engineer
May 25, 2001

WATER PERMIT APPLICATION NO. 1747-1
ELIZABETH A. MANLEY
MAY 16, 2001

Water Permit Application No. 1747-1 proposes to appropriate 0.10 cubic feet of water per second (cfs)[45 gallons per minute] from one well (Minnelusa aquifer) located in the Government Lot 6, Sec.5, T5N-R6E, in Meade County. The water is for commercial use at Rolling Thunder Campground.

WATER SOURCE: Minnelusa Aquifer (MNLS)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Minnelusa aquifer is composed of porous and permeable portions of the Minnelusa Formation. The Minnelusa Formation is an assemblage of alternating beds of sandstone, limestone, and dolomite with lesser amounts of shale, approximately 350 feet thick in this area (Carter, 1999_a), (Carter, 1999_b). The lithology of the Minnelusa is quite variable; likewise, the aquifer characteristics are also variable and site specific. Pump test data is not available for the Minnelusa in this area; therefore the aquifer characteristics (transmissivity and storage coefficient) are unknown. Estimates from regional studies of the aquifer indicate the aquifer transmissivity may range from 0.86-8,600 ft²/d, and the storage coefficient ranges from 6.6×10^{-5} to 2×10^{-4} , (Kyllonen, 1986). The Minnelusa aquifer is an extensive regional aquifer that underlies most of western South Dakota and extends into surrounding states. The Minnelusa aquifer underlies approximately 2,172,800 acres of Meade County and contains an estimated 81,480,000 acre-feet of recoverable water in storage in the county (Allen, 1984). Recharge to the Minnelusa aquifer occurs through infiltration of precipitation falling directly on the outcrop, stream flow losses, and possibly upward leakage from the Madison aquifer. Average annual recharge has not been quantified for the Minnelusa aquifer. Based on the chemical analysis of Minnelusa aquifer water from two nearby wells, the concentration of total dissolved solids of the Minnelusa water can be expected to range from 1,200 ppm to 1,600 ppm in this area (Gries, 1975). A well completed into the Minnelusa formation may flow at the surface in this area.

The Water Rights Program monitors 23 observation wells completed into the Minnelusa aquifer. The nearest Minnelusa aquifer observation well is located approximately six miles southwest of this well site. The observation wells show seasonal fluctuations of the potentiometric surface depending on recharge events. Observation well data show that unappropriated water is available from the Minnelusa aquifer.

REVIEW OF EXISTING WATER PERMITS/RIGHTS:

There are 170 Water Rights/Permits and two future use permits that appropriate water from the Minnelusa aquifer in South Dakota (Water Rights, 2001_c). There are 57 permits/rights appropriating water from the Minnelusa aquifer in Meade County (Water Rights, 2001_c), where the aquifer is used primarily for suburban housing development, commercial, municipal and irrigation use. In addition to appropriative rights, there are a number of

domestic wells completed into the Minnelusa aquifer on file with the Water Rights Program (Water Rights, 2001_a).

The Water Rights Program has no record of domestic wells completed into the Minnelusa aquifer in this area. The nearest appropriation from the Minnelusa (Water Permit No. 1716-1, Wm. & Beverly Lore) is located approximately four miles southwest of this well site. Given the distance to existing wells and the relatively low diversion rate (0.10 cfs) proposed by this appropriation, adverse impacts are not likely if this application is approved.

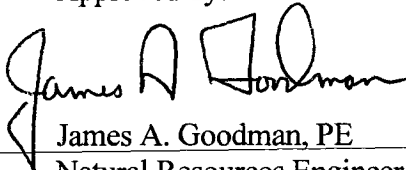
CONCLUSIONS:

1. The Minnelusa aquifer is a viable aquifer in this area.
2. The water quality of the Minnelusa aquifer is expected to be fair to good in this area.
3. Unappropriated ground water is available from the Minnelusa aquifer.
4. The diversion requested by this application (0.10 cfs) can be made without impairment of existing rights.



Ken Buhler
Natural Resources Engineer

Approved by:



James A. Goodman, PE
Natural Resources Engineer

REFERENCES:

- Allen, J.C., Iles D.L., Petres A.K., 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- Geological Survey, Vermillion SD
- Carter, J.M., Redden, J.A., 1999_a, Altitude of the Top of the Minnelusa Formation in the Black Hills Area, South Dakota, Hydrologic Investigations Atlas HA-744-C, U.S. Geological Survey
- Carter, J.M., Redden, J.A., 1999_b, Altitude of the Top of the Madison Limestone in the Black Hills Area, South Dakota, Hydrologic Investigations Atlas HA-744-D, U.S. Geological Survey
- Gries, J.P., 1975, "Report on Existing Wells at Bear Butte", Report to Winston A. Douglas, Supervisor of Engineering, SD-Game, Fish & Parks Department, Pierre, South Dakota, February 17, 1975 written correspondence

Kyllonen, D.P., Peter, K.D., 1986, Geohydrology and Water Quality of the Inyan Kara, Minnelusa, and Madison Aquifers of the Northern Black Hills, South Dakota and Wyoming, and the Bear Lodge Mountains, Wyoming, Water-Resources Investigations Report 86-4158, U.S. Geological Survey

Stobel, M.L., Galloway, J.M., Hamade, G.R., and Jarrell, G.J., 2000, Potentiometric Surface of the Minnelusa Aquifer in the Black Hills Area, South Dakota, Hydrologic Investigations Atlas HA-745-C, U. S. Geological Survey

Water Rights, 2001_a, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights, 2001_b, "Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights, 2001_c, "Water Permit Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

May 25, 2001

Elizabeth A. Manley
RR 2 Box 107
Whitewood, SD 57793

Dear Ms. Manley:

Water Permit Application No. 1747-1 for commercial use has been amended to authorize a Minnelusa Formation well. The application 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 57501-3182
www.state.sd.us/denr

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

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 1747-1 to Appropriate Water to be published twice. Please publish the first notice on June 6, 2001 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 Elizabeth Manley, RR 2 Box 107, Whitewood, SD 57793 (Ph # 605-347-2118).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 1747-1

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

Date _____

We are in receipt of your letter of May 25, 2001 enclosing Notice of Hearing to Appropriate Water by Application No. 1747-1 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 6, 2001 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1747-1 to Appropriate Water

Notice is given that Elizabeth A Manley, RR 2 Box 107, Whitewood SD 57793 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second (45 gallons per minute) from one well (Minnelusa Formation) located in Government Lot 6 Section 25-T6N-R5E. The water is for commercial use at the Rolling Thunder Campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1747-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 25, 2001.

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. Steven M. Pirner, 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, during all the times hereinafter mentioned, was a legal newspaper under SDCL 17-2-2, as amended, published at Sturgis, Meade County, South Dakota; that affiant is and, during all of said times, was 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 copy of which is attached, was published in said newspaper for successive issues on the following dates:

<u>June 6,</u>	200	<u>1</u>	
<u>June 13,</u>	200	<u>1</u>	
	200		
	200		
	200		

that the full amount of the fee charged for publishing the same, to-wit: \$ 36.18, insures solely to the benefit of the publisher of the 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

22 day of June, 2001

Sabrina R. Harmon
Notary Public, South Dakota
SABRINA R. HARMON
MY COMMISSION EXPIRES
AUGUST 22, 2005

Water application

NOTICE OF APPLICATION
NO. 1747-1 to Appropriate Water

Notice is given that Elizabeth A. Manley, RR 2 Box 107, Whitewood SD 57793 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second (45 gallons per minute) from one well (Minnelusa Formation) located in Government Lot 6 Section 25-T6N-R5E. The water is for commercial use at the Rolling Thunder Campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1747-1 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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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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Publ June 6 and 13, 2001
Meade County Times-Tribune



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 23 2001

Elizabeth A. Manley
RR 2 Box 107
Whitewood, SD 57793

Dear Ms. Manley:

Enclosed is Water Permit No. 1747-1 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.

Sincerely,

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

enclosures

1747-1

Gronlund, Eric

From: Gronlund, Eric
Sent: Tuesday, January 23, 2007 1:09 PM
To: Schlaak, Karen; McMath, Genny
Subject: WP No. 1747-1, Elizabeth Manning

This water permit appropriated 45 gpm from a well for commercial use at the Rolling Thunder Campground near Bear Butte Lake. The permit was to be constructed in 2006 with water placed to beneficial use by 2010.

Received a call from an Chuck King, who is an appraiser. This land went into foreclosure and the neighbor bought the property. Not certain but don't think the campground ever opened but the well is completed. The new owner wants to pipe the water across the road to his place to water his cattle. Explained the water permit to him and that the owner would have the right to a reasonable domestic use.

Also explained that if the well was only used for reasonable domestic use, the permit could be cancelled. Otherwise the water permit should be transferred to the new owner's name. He said a transfer would likely not occur for a year because the land will be in a form of "receivership" for a year. He planned to inform the new owner of our discussion.

01/23/2007

RECEIVED

MAR 28 2007

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 1747-1

Date: 2-6-07

I/We request that Water Right/Permit No. 1747-1 formerly owned by:

Elizabeth Manley be transferred to:

New Owner Name: Larry J. Flack and Shirley M. Flack

Address: 20288 Butte Dr.

City, State, Zip Whitewood SD 57793 Telephone No. 605-490-0043

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

Government Lot 6 in Sections 25, T6N, R5E, of
the BHM, Meade County, South Dakota, Less
Fritz Subdivision

☒ I understand that the validity of Water Right/Permit No. 1747-1 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

We
I, Larry J. Flack and Shirley M. Flack, the new owner^s, certify that the above information is true and correct.

Larry J. Flack
(Signed by new owner)
Shirley M. Flack

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 3/28/07, 20 07

RECEIVED OF LARRY FLACK

LARRY FLACK 20288 BUTTE DR

WHITEWOOD SD ~~59793~~ 59793

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>1747-1</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.

03013

By

Laurel Erbe

Chief Engineer



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 28, 2007

1747-1

Larry J & Shirley M Flack
20288 Butte Dr
Whitewood SD 57793

Dear Mr. & Mrs. Flack:

I am writing to acknowledge receipt of the ownership change you filed for Water Permit No. 1747-1. The transfer has been completed. The water permit formerly listed in the name of Elizabeth Manley is now listed in your names.

Enclosed is your Receipt No. 03013 in the amount of \$2.50. I have also included a copy of the water permit in the event you do not have one.

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

enclosures

Permit No. 1747-1
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, **26 September 2007**, made a thorough examination of the water use system constructed by **Larry & Shirley Flack** of **20288 Butte Dr. Whitewood, SD. 57793** holder of Permit No. **1747-1**, bearing the priority of **13 March 2001** authorizing the diversion of **0.10** cu. ft. per second of the waters of **the Minnelusa formation** for **commercial** purposes, in **Meade** County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Taylor Drilling**
- 2) No. of Wells: **1**
- 3) Depth(s) **1935** feet
- 4) Well log is available **Y**
- 5) Comment: **pump information provided by owner**

Casing:

- 1) Diameter **7 5/8 / 5.5** inches
- 2) Length **40 / 1907** feet
- 3) Type **steel**

Screen:

- 1) Type **none**
- 2) Static water level **0** feet

Pump:

- 1) Make **unknown**
- 2) Model **unknown**
- 3) Capacity **45** GPM

Motor:

- 1) Make **Franklin**
- 2) Model No.: **2821139310**
- 3) Horsepower rating **5** hp

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

- 1) Type PVC 2) Size 2 inches 3) Length 3500 feet

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N
- 3) Exceptions to compliance are: none

The system is in good condition with the point(s) of diversion located as follows: NW ¼ NW ¼ (Lot 6) Sec 25-T6N-R5E, approximately 390 feet east and 885 feet south of the north west corner of section 25, N 44.45752 Latitude and W -103.46661 Longitude. The works are capable of diverting and conveying to the place of use 0.10 cu. ft. per second of water which is to be used for commercial use

The license should be issued for 0.10 cfs.

All structures, wells and lands on map Y

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



Mark Costello
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 03 January 2008



South Dakota

1747-1

Larry & Shirley Flack
20288 Butte Dr.
Whitewood, SD. 57793

South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today



Mark Costello

Mark Costello
Natural Resources Engineer
DENR, Water Rights
03 January 2008

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





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 25 2009

1747-1

Larry & Shirley Flack
20288 Butte Dr
Whitewood SD 57793

Dear Mr. & Mrs. Flack:

Enclosed is Water License No. 1747-1. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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. 1747-1, 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

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1747-1**

(1) Elizabeth A Manley, Whitewood SD made Application No. 1747-1, March 13, 2001 for a water permit to divert 0.10 cubic feet of water per second (45 gallons per minute) from ground water – one well (Minnelusa Formation), Meade County, South Dakota for commercial purposes. Permit No. 1747-1, with a priority date of March 13, 2001 was approved June 25, 2001 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 25, 2006 and for the application to beneficial use of said water on or before June 25, 2010.

Water Permit No. 1747-1 was transferred March 28, 2007 to Larry J Flack and Shirley M Flack.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and are entitled to divert 0.10 cubic feet of water per second for beneficial use. The location of the diversion point is in Government Lot 6, approximately 390 feet east and 885 feet south of the NW corner of Section 25, T6N, R5E (NW ¼ NW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use in supplying water to the Rolling Thunder Campground.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Larry J and Shirley M Flack, 20288 Butte Dr., Whitewood SD 57793 the holders and/or owners of Water Right No. 1747-1 are issued a license to appropriate water, the right to use 0.10 cubic feet of water per second (45 gallons per minute) from ground water – one well (Minnelusa Formation) with a priority date of March 13, 2001 from the location specified in (2) of this license for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1747-1 and subject to 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. 1747-1 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.
- The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

Garland Erbele

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

JAN 25 2008

date

