

WATER PERMIT NO. 1780A-1

Name of Applicant: Rod Woodruff

Address: PO Box 909, Belle Fourche SD 57717

Phone: 605 892-2033

Amount of Water Claimed: 0.444 cfs (17 acre-feet)

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial

County: Meade

Type of Waste Disposal System:

Location: Supplies Buffalo Chip Campground

PRIORITY

Date Received: 12-26-06

Application/License Fee: \$50

Corrected Application Received:

Period of Annual Use: Jan 1 – Dec 31

Remarks: Amends the annual period of use to Jan 1 – Dec 31

Diversion Point: NE ¼ NW ¼ Sec 8-T5N-R6E

Land to be Irrigated: NA

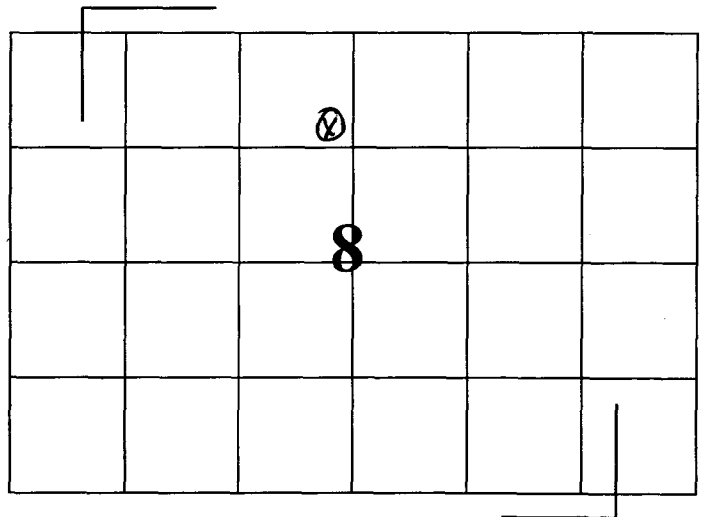
Depth of Well: 3700 feet deep

Well Driller: : Taylor Drilling

Remarks:

Type of Map:

Prepared by:



Reviewed and the Number Assigned on: 1-2-07

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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>1780A-1</u> (office use only) Hydrologic Unit <u>10120202</u>
	Basin <u>Belle Fourche River</u>
	Newspaper <u>Meade Co. Times</u>

RECEIVED
DEC 26 2006
WATER RIGHTS
PROGRAM

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: (check one)

- ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☒ Amendment/Correction to Permit No. 1780-1

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

To amend annual period from April 1 to Sept 30 to be from Jan. 1 to Dec. 31

1. Name of Applicant Red Woodruff Phone 605-892-2033
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO Box 909 Belle Fourche State SD 57717
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.444 *CFS or 200 **GPM 17 ***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 Madison Aquifer
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Meade
NE⁴NW⁴ Section 8-T5N-R6E
5. County or counties where water will be used Meade
6. Annual period during which water is to be used January 1 to 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 description of amendment above.

STATE OF SOUTH DAKOTA)
County of Butte 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, Red Woodruff, 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 Red Woodruff
Subscribed and sworn to before me this 21st day of December 2006

Vicki Zhauek
Notary Public signature

my commission expires: 11-2-08



**SOUTH DAKOTA
WATER PERMIT NO. 1780A-1**

Date of first receipt of application December 26, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1780A-1 to Rod Woodruff, PO Box 909, Belle Fourche SD 57717 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. 1780A-1 amends Water Permit No. 1780-1 to reflect annual use. Water Permit No. 1780-1 appropriates 0.444 cfs (17 acre-feet annually) from one well completed into the Madison Aquifer (3080 feet deep) located in the NE ¼ NW ¼ Section 8-T5N-R6E.
2. The water appropriated shall be used for the purpose of commercial use at the Buffalo Chip Campground and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 1780A-1 is March 12, 2007.
5. The date from which applicant may claim right is November 19, 2002.
6. 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. Water Permit Nos. 1780-1 and 1780A-1 authorize a total annual diversion of 17 acre feet of water from the Madison Aquifer.

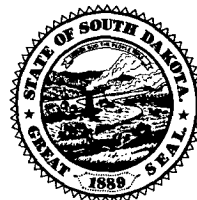
WATER MANAGEMENT BOARD

By: Garland Erbele

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

APR 13 2007

date





Rod Woodruff, Member

rod.woodruff@buffalochip.com

Physical Location:
20622 131st Avenue
Sturgis, SD 57785
Ph: 605-347-9000

Mailing Address:

**P.O. Box 909
Belle Fourche, SD 57717-0909
605-892-2033**

December 21, 2006

South Dakota Department of Natural Resources
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED

DEC 26 2006

**WATER RIGHTS
PROGRAM**

Attn: Eric Gronlund

Re: Water Permit Amendments

Dear Eric:

I enclose the following:

1. Two (2) original Applications for Permit to Appropriate Water Within the State of South Dakota - Permit No. 1780-1;
2. Two (2) original Applications for Permit to Appropriate Water Within the State of South Dakota - Permit No. 1518-1;
3. Two (2) original Applications for Permit to Appropriate Water Within the State of South Dakota - Permit No. 1718-1;
4. Check No. 16663 in the amount of \$250.00. As I understand, the filing fee for Permit No. 1518-1 and 1718-1 were \$100.00 each and the filing fee for Permit No. 1780-1 was \$50.00.

If you need any additional information or documents, please let me know.

I want to thank you for all your help with the Water Permit amendments. With your assistance I was able to complete the Applications in a timely manner. I really appreciate all that you have done.

Sincerely,

A handwritten signature in black ink, appearing to read "Vicky L. Hauck".

Vicky L. Hauck
Assistant to Rod Woodruff

Enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 2, 20 07

RECEIVED OF Buffalo Chip Campground LLC, PO Box 909, Belle Fourche SD 57717

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

Fee for Application for Permit No. <u>1780A-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. _____		
Fee for Filing Transfer Form _____		
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	50.00

No.

62706

By

Darland Elbel
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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1780A-1, Rod Woodruff**

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. 1780A-1, Rod Woodruff, PO Box 909, Belle Fourche SD 57717.

The Chief Engineer is recommending APPROVAL of Application No. 1780A-1 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) 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. Water Permit Nos. 1780-1 and 1780A-1 authorize a total annual diversion of 17 acre feet of water from the Madison Aquifer.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 13, 2007

WATER PERMIT APPLICATION NOS. 1518A-1, 1718A-1 AND 1780A-1
ROD WOODRUFF
JANUARY 8, 2007

Water Permit Application No. 1518A-1 proposes to amend Water Right No. 1518-1 by extending the annual period during which water may be used from the current May 1 through August 31, to annual use. Water Right No. 1518-1 appropriates 0.10 cubic feet of water per second (cfs) from one well completed into the Inyan Kara aquifer (1,285 feet deep) located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T5N-R6E. This application does not propose to increase the diversion rate authorized for the existing well. The water is for commercial use at the Buffalo Chip Campground.

Water Permit Application No. 1718A-1 proposes to amend Water Right No. 1718-1 by extending the annual period during which water may be used from the current June 1 through September 30, to annual use. Water Right No. 1718-1 appropriates 0.04 cfs from one well completed into the Inyan Kara aquifer (1,296 feet deep) located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T5N-R6E. This application does not propose to increase the diversion rate authorized for the existing well. The water is for commercial use at the Buffalo Chip Campground.

Water Permit Application No. 1780A-1 proposes to amend Water Permit No. 1780-1 by extending the annual period during which water may be used from the current May 1 through August 31, to annual use. Water Right No. 1780-1 appropriates 17 acre-feet annually at a diversion rate of 0.444 cfs, from one well completed into the Madison aquifer (3,080 feet deep) located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T5N-R6E. This application does not propose to increase the diversion rate authorized for the existing well or an increase of the annual volume of water that can be withdrawn. The water is for commercial use at the Buffalo Chip Campground.

AQUIFER _{1518A-1 & 1718A-1}: Inyan Kara aquifer (INKR)
AQUIFER _{1780A-1}: Madison aquifer (MDSN)

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address water availability issues and the potential effects on existing water users.

WATER AVAILABILITY

The probability of unappropriated water available for appropriation can be evaluated by considering SDCL 46-6-3.1 which requires that:

"No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source."

Water Right No. 1518-1 authorizes the diversion of 45 gallons per minute continuously for 122 days, or approximately 24 acre-feet annually. If the amendment proposed by Water Permit Application No. 1518A-1 is approved, the theoretical maximum withdrawal would be approximately 72 acre-feet annually (45 gpm continuously for 365 days), or an increase withdrawal of approximately 48 ac-ft./yr. In actuality, the increase would be more like 29-34 ac-ft/yr (60-70% pumping)

Water Right No. 1718-1 authorizes the diversion of 18 gallons per minute continuously for 121 days, or approximately 10 ac-ft/yr. Water Permit Application No. 1718A-1 proposes to allow withdrawals year-round for a theoretical maximum withdrawal of approximately 29 ac-ft/yr. Therefore the increased appropriation amounts to approximately 19 ac-ft/yr. The actual increased withdrawals would be closer to 11-13 ac-ft/yr.

The water permit amendment proposed by application No. 1780A-1 will not increase the volume of water authorized for withdrawal (17 ac-ft/yr).

The volume of water represented by these permit applications is minuscule in regard to the amount of water that is available from the aquifers (Goodman, 1991), (Buhler, 2000) and (Buhler, 2003). Unappropriated water is available from the Inyan Kara and Madison aquifers in this area.

AFFECTS ON EXISTING RIGHTS:

Water Permit Applications Nos. 1518A-1 and 1718A-1

There are six existing Water Permits/Rights belonging to others, that appropriate water from the Inyan Kara aquifer within approximately two and one-half miles of the wells that will supply Water Permit 1518A-1 and Water Permit No. 1718A-1, if approved. They are shown in table one.

PERMIT NO	NAME	STATUS	AQUIFER	USE	CFS
1724-1	MICHAEL BALLARD	PE	INKR	COM	0.09
1487-1	GLENCOE CAMP RESORT	LC	INKR	COM	0.27
1615-1	GLENCOE CAMP RESORT	LC	INKR	COM	0.00
1804-1	ROSS LAMPHERE	PE	INKR	COM	0.10
1742-1	HENRY OR CONNIE PETERS	PE	INKR	COM	0.10
1706-1	CITY OF STURGIS	LC	INKR	MUN	0.06

Table 1. Inyan Kara Water Rights/Permits not belonging to Rod Woodruff within 2.5 miles of 1518A-1 and 1718A-1

If Water Permit No. 1518A-1 is approved, diversions from the well that take place between September 1 and April 30, will have a December 12, 2006, priority date and the water use will be junior to the existing Water Rights/Permits.

If Water Permit No. 1718A-1 is approved, diversions from the well that take place between October 1 and May 31, will have a December 12, 2006, priority date and the water use will be junior to the existing Water Rights/Permits.

In addition to the wells that supply the appropriative rights listed in Table one, there are a number of domestic wells completed into the Inyan Kara aquifer in this area. The Inyan Kara aquifer is under artesian conditions in this area and wells completed into the aquifer will flow at the land surface throughout much of this area, therefore, interference between wells may be measurable. However, since the diversion rates associated with Water Permit No. 1518A-1 and Water Permit 1718A-1 are relatively small, and the distance between wells is sufficient, the impacts of these appropriations on existing wells will be minimal. The wells (domestic and appropriative) are generally constructed so that a pump can be lowered.

Water Permit Application No 1780A-1

There is only one water permit appropriating water within approximately four miles of the well that is to be used to supply water to Water Permit No. 1780A-1, it is Water Permit No. 1858-1, Glencoe Camp Resort Inc. Interference between wells is not expected to be an issue.

Since Water Permit Application No. 1780A-1 does not propose an additional diversion rate or volume, diversions made between September 1 and April 30 will retain the original priority date. Therefore, all of the diversions made under the authority of Water Permit No. 1780-1 and Water Permit No. 1780A-1 will have seniority over diversions authorized by Water Permit No. 1858-1.

TERM LIMITATION:

SDCL 46-2A-20 requires that "... no water permit for construction of works to withdraw water from the Madison formation in Butte, Fall River, Custer, Lawrence, Meade and Pennington counties may be issued for a term of more than twenty years, unless the water management board determines, based upon the evidence presented at the hearing that:

(1) Sufficient information is available to determine whether any significant adverse hydrologic effects on the supply of water in the Madison formation would result if the proposed withdrawal were approved; and

(2) The information, whether provided by the applicant or by other means, show that there is a reasonable probability that issuance of the proposed permit would not have a significant adverse effect on nearby Madison formation wells and springs."

Evidence is not available to justify issuing these permits without a term limitation of 20 years.

Water Permit No. 1718A-1 does not authorize construction of works to withdraw water from the Madison formation. Therefore, if Water Permit No. 1718A-1 is issued it could be without a 20 year term limit.

CONCLUSIONS:

1. Water Permit Application Nos. 1518A-1, 1718A-1 and 1780A-1, if approved, do not increase the diversion rates authorized for the water rights/permits to be amended (Nos. 1518-1, 1718-1 & 1780-1).
2. Water Permit Application Nos. 1518A-1 and 1718A-1 propose to increase the volume of water withdrawal from the Inyan Kara aquifer by a maximum of 77 acre-feet annually.

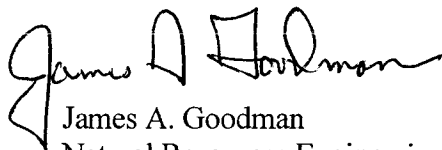
3. Water Permit Application No. 1780A-1 does not propose to increase the volume of water withdrawn annually from the Madison aquifer.
4. There is a reasonable probability that unappropriated water is available from the Inyan Kara and Madison aquifers to supply these permits.
5. Existing water rights, including domestic users, will not be adversely affected by the approval of Water Permit Application Nos. 1518A-1, 1718A-1 and 1780A-1.



Ken Buhler

Natural Resources Engineering Specialist

Approved by



James A. Goodman

Natural Resources Engineering Director

REFERENCES:

Buhler, K.A., 2000, Report for Water Permit Application No. 1718-1, Rod Woodruff, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Buhler, K.A., 2003, Report for Water Permit Application No. 1780-1, Rod Woodruff, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Goodman, J.A., 1991, Report for Water Permit Application No. 1718-1, Rod Woodruff, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights Program, 2006b, Water Permit/Right Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Water Rights Program, 2006c, Well Completion Report Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Meade) SSI, Pam Buhler

certify that the attached printed Notice was taken

from the Meade Co Times
Tribuneprinted and published in SturgisCounty of Meade and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Feb 21, 07Feb 28, 07Cost of Printing \$55.21Pam Buhler
(Signature)Office Manager
(Title)Feb 28 2007
(Date Signed)**NOTICE OF APPLICATION NOS.****1518A-1, 1718A-1 and 1780A-1**

Notice is given that Rod Woodruff, PO Box 909, Belle Fourche SD 57717 has filed applications to amend existing Water Right/Permit Nos. 1518-1, 1718-1 and 1780-1 to reflect annual use. Currently, the annual period of use is restricted to the summer season. The water is for commercial use at the Buffalo Chip Campground.

Water Right No. 1518-1 appropriates 0.10 cubic feet of water per second (cfs) from one well completed into the Inyan Kara Formation (1285 feet deep) located in the NE1/4 NE1/4 Section 8-T5N-R6E. Water Right No. 1718-1 appropriates 0.04 cfs from one well completed into the Inyan Kara Formation (1296 feet deep) located in the SW1/4 NE1/4 Section 8-T5N-R6E. Water Permit No. 1780-1 appropriates 0.444 cfs (17 acre-feet annually) from one well completed into the Madison Aquifer (3080 feet deep) located in the NE1/4 NW1/4 Section 8-T5N-R6E. Application Nos. 1518A-1, 1718A-1 and 1780A-1, if approved, do not increase the diversion rates authorized by each permit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 1518A-1, 1718A-1 and 1780A-1 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 March 12, 2007.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Meade County Times-Tribune
Publ. Feb. 21 & 28, 2007

RECEIVED
MAR - 2 2007
WATER RIGHTS
PROGRAM



February 13, 2007

Meade Co Times-Tribune
PO Box 69
Sturgis SD 57785-0129

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 1518A-1, 1718A-1 and 1780A-1 to Appropriate Water to be published twice. Please publish the first notice on February 21, 2007 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Rod Woodruff, PO Box 909, Belle Fourche SD 57717 (Ph # 605 892-2033).

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. 1518A-1, 1718A-1 and 1780A-1

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

Date _____

We are in receipt of your letter of February 13, 2007 enclosing Notice to Appropriate Water by Application Nos. 1518A-1, 1718A-1 and 1780A-1 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
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.

February 13, 2007

Rod Woodruff
PO Box 909
Belle Fourche SD 57717

Dear Mr. Woodruff:

Water Permit Application Nos. 1518A-1, 1718A-1 and 1780A-1 for commercial use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Meade Co Times-Tribune printed at Sturgis, SD (Ph # 605 347-2503). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and a report on the applications 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 and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also 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.

Instruction to Newspaper - Publish first Notice on February 21, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 1518A-1, 1718A-1 and 1780A-1

Notice is given that Rod Woodruff, PO Box 909, Belle Fourche SD 57717 has filed applications to amend existing Water Right/Permit Nos. 1518-1, 1718-1 and 1780-1 to reflect annual use. Currently, the annual period of use is restricted to the summer season. The water is for commercial use at the Buffalo Chip Campground.

Water Right No. 1518-1 appropriates 0.10 cubic feet of water per second (cfs) from one well completed into the Inyan Kara Formation (1285 feet deep) located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8-T5N-R6E. Water Right No. 1718-1 appropriates 0.04 cfs from one well completed into the Inyan Kara Formation (1296 feet deep) located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8-T5N-R6E. Water Permit No. 1780-1 appropriates 0.444 cfs (17 acre-feet annually) from one well completed into the Madison Aquifer (3080 feet deep) located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8-T5N-R6E. Application Nos. 1518A-1, 1718A-1 and 1780A-1, if approved, do not increase the diversion rates authorized by each permit.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 1518A-1, 1718A-1 and 1780A-1 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 March 12, 2007.

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

1518A-1
1718A-1
1780A-1

Rod Woodruff
PO Box 909
Belle Fourche SD 57717

Dear Mr. Woodruff:

Enclosed are Water Permit Nos. 1518A-1, 1718A-1 and 1780A-1 which amend the existing permits to reflect annual use. Also, enclosed are Water License Nos. 1518A-1 and 1718A-1.

For your information SDCL 46-6-27 requires that if the owner of existing wells, such as the wells authorized by these water rights, 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. At some future time, we will schedule an inspection of Water Permit No. 1780A-1 so the water license may issued.

If you have any questions, please contact our office.

Sincerely,

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

Note: The applicable portions of No. 1518-1 are incorporated into Water License No. 1518A-1.
The applicable portions of No. 1718-1 are incorporated into Water License No. 1718A-1.

enclosures

Permit No. 1780-1 and 1780A-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, September 22, 2009, made a thorough examination of the water use system constructed by Rod Woodruff of PO Box 909, Belle Fourche, SD 57717 holder of Permit No. 1780-1 and 1780A-1, bearing the priority of November 19, 2002 authorizing the diversion of 0.444 cu. ft. per second of the waters of the Madison Aquifer for Commercial purposes, in Meade County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Taylor Drilling Company
- 2) No. of Wells 1
- 3) Depth(s) 3080 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 12 3/8, 8 5/8, and 6 5/8 inches
- 2) Length 2970 feet
- 3) Type Steel

Screen:

- 1) Type Open Hole
- 2) Static water level 170 feet

Pump:

- 1) Make Grundfos
- 2) Model 230S400-10
- 3) Size 40 hp
- 4) Capacity 200 GPM

B. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA

Report of Examination of Works

Permit No. 1780-1 and 1780A-1

3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows:

Approximately 1045 feet south and 2475 feet east of the NW corner of Section 8-T5N-R6E

(N 44.41355, W -103.41898) (NE ¼ NW ¼)

The works are capable of diverting and conveying to the place of use 0.444 cu. ft. per second of water which is to be used for Commercial use.

Water has been put to beneficial use to the maximum extent as follows:

Water from the well is used for various purposes at the Buffalo Chip Campground near Sturgis, SD.

The license should be issued for 0.444 cfs.

All structures, wells and lands on map Y

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

Water Permit No. 1780-1 appropriates 0.444 cfs of water for the campground from April 1 – September 30. Water Permit No. 1780A-1 simply changes the water usage to year-round use.



Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: December 7, 2009

Water Permit No. 1780-1 and 1780A-1

Rod Woodruff
PO Box 909
Belle Fourche, SD 57785



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
December 7, 2009

0 410 820 1,640 2,460 3,280 Feet



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow...Today



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 22 2010

1780-1
1780A-1

Rod Woodruff
20622 131st Ave
Sturgis SD 57785

Dear Mr. Woodruff:

Enclosed is Water License No. 1780A-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. 1780A-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.

The applicable portions of Water Permit No. 1780-1 were incorporated into Water License No. 1780A-1. 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. 1780A-1

(1) Rod Woodruff, 20622 131st Ave, Sturgis SD 57785 made Application No. 1780A-1, December 26, 2006 for a water permit to amend existing Water Permit No. 1780-1 by extending the annual use to year around with no additional appropriation of water. No. 1780-1 authorizes diversion of 0.444 cubic feet of water per second (17 acre-feet annually) from one well completed into the Madison Aquifer, Meade County, South Dakota for commercial purposes. Permit No. 1780A-1, with a priority date of November 19, 2002 (established under No. 1780-1) was approved March 12, 2007 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

The applicable portions of Water Permit No. 1780-1 have been incorporated into this Water License No. 1780A-1.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.444 cubic feet of water per second (17 acre-feet annually) for beneficial use.

The location of the diversion point is 1,045 feet south and 2,475 feet east of the NW corner of Section 8, T5N, R6E (NE 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 at the Buffalo Chip Campground near Sturgis, SD.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Rod Woodruff, 20622 131st Ave, Sturgis SD 57785 the holder and/or owner of Incorporated Water Right No. 1780A-1 is issued a license to appropriate water, the right to use 0.444 cubic feet of water per second from ground water – one well (Madison Aquifer) with a priority date of November 19, 2002 from the location specified in (2) of this license for commercial use.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 1780A-1 and subject to the following qualifications:

- In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1780-1 (*including No. 1780A-1*) is issued for a 20-year term. Pursuant to SDCL 46-2A-21, the 20-year term may be deleted at any time during the 20-year period or following its expiration. If the 20-year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 1780-1 (*including No. 1780A-1*) may also be cancelled for non-construction, forfeiture, abandonment, or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1 and ARSD 74:02:01:37.
- 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.

Continued

- The well authorized shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28. *(Well drilled in July, 2003 by Taylor Drilling – copy of log on file with the Water Rights Program.)*
- Nos. 1780-1 and 1780A-1 authorize a total annual diversion of 17 acre feet of water from the Madison Aquifer.



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

JUL 22 2010

date

