

WATER PERMIT NO. 1804-1

Name of Applicant: Ross Lamphere

Address: PO Box 445, Sturgis SD 57785 Phone: 605 347-5858

Amount of Water Claimed: 0.1 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: 2 miles east of Sturgis

PRIORITY Date Received: 6-6-03

Application/License Fee: \$100

Corrected Application Received: 7-24-03

Period of Annual Use: January 1 – December 31

Remarks: campground

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

Land to be Irrigated: NA

Depth of Well: 1100 feet deep

Well Driller: : Cimarron Drilling

Remarks:

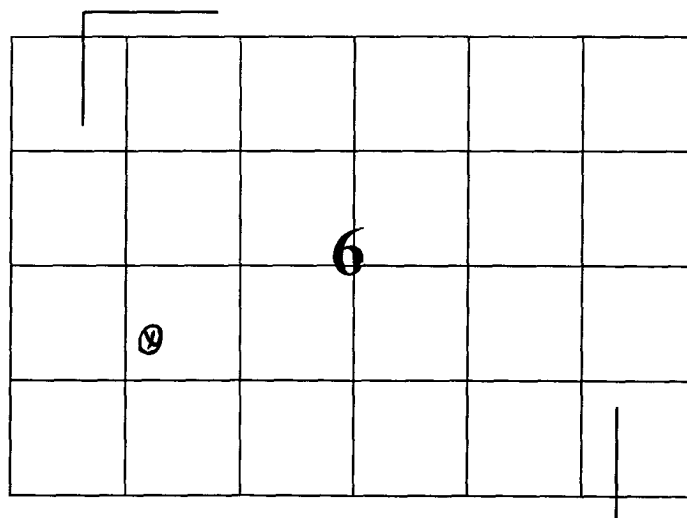
Type of Map: aerial

Prepared by: Darrell Vig, NRCS

Reviewed and the Number Assigned on: 7-24-03

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1804-1</u>	(office use only) Hydrologic Unit <u>10/20202</u>
	Basin <u>Belle Fourche R</u>	
	Newspaper <u>Meade Co Times-Tribune, Sturgis</u>	

RECEIVED
JUN - 6 2003
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. _____

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

- Name of Applicant Ross Lamphere Phone (605) 347-5858
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO Box 445 Sturgis Sturgis State SD 57785
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.1 *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 1100' well Lakota formation
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Meade
NW1/4 of SW1/4 of SEC 6 T5N R6E
- County or counties where water will be used Meade
- Annual period during which water is to be used Jan- Dec
- 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

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.

Applicant's signature Ross Lamphere

Subscribed and sworn to before me this 5 day of June 2003

Coral Kay
Notary Public signature
Comm Exp 6/14/07

**SOUTH DAKOTA
WATER PERMIT NO. 1804-1**

Date of first receipt of application June 6, 2003.

Date of return to applicant for corrections, amendments or changes June 6, 2003.

Date of receipt of corrected application July 24, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1804-1 to Ross Lamphere, PO 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. 1804-1 appropriates 0.1 cubic feet of water per second (45 gallons per minute) from one well (Inyan Kara Formation) 1100 feet deep located in the NW ¼ SW ¼ Section 6-T5N-R6E.
2. The water appropriated shall be used for the purpose of commercial use at a 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. 1804-1 is October 27, 2003.
5. The date from which applicant may claim right is June 6, 2003.
6. One-fifth of the construction is to be completed on or before April 27, 2006.
7. All construction is to be completed on or before October 27, 2008.
8. Water is to be put to beneficial use on or before October 27, 2012.
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 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

DEC 10 2003

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7" Depth 1100"
- b) Casing Type steel Diameter 7 Thickness
- c) Screen Type steel Diameter 7 Thickness
- d) Gravel Pack no Length of Gravel Pack
- e) Depth to Top of Water Bearing Material
- f) Depth to Water (ground surface to water level) 0
- g) Distance to nearest existing domestic well:
On applicants property 50' On property owned by others 1500'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) holding tanks
- b) System Capacity (gallons) 3,600.00 Year Constructed 2000
- c) Connected to the City of Sanitary System

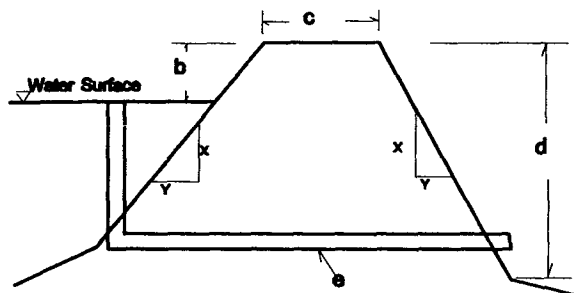
3. Dugout Information

- 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

Date June 6, 2003

RECEIVED OF Ross Lamphere, PO box 445, Sturgis SD 57785

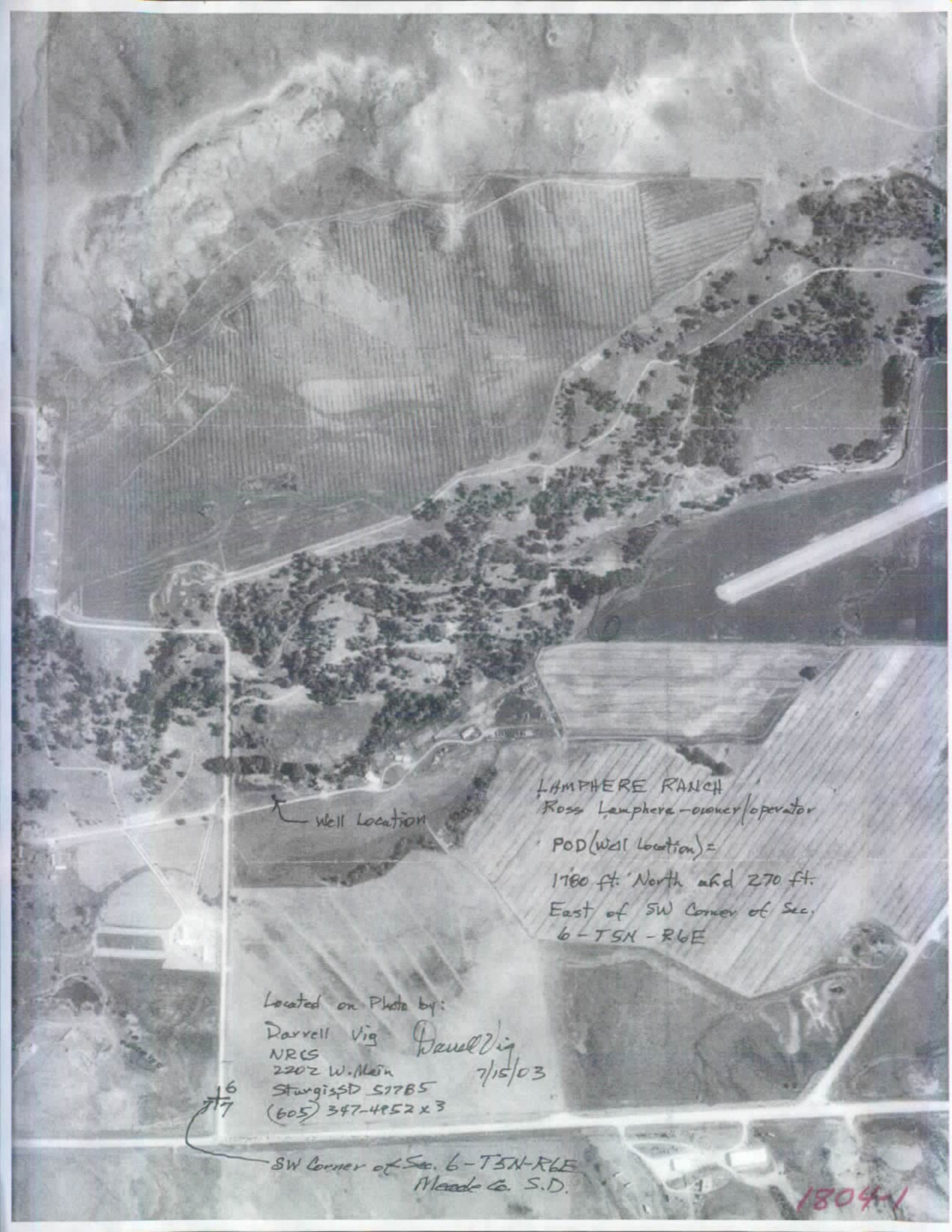
The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>1204-1</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>1204-1</u>	50	00
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	100.00

No. 007800

By Darlene White
Chief Engineer

gm



X Well Location

LAMPHERE RANCH
Ross Lamphere - owner/operator

POD (Well Location) =

1780 ft. North and 270 ft.
East of SW Corner of Sec.
6-T5N-R6E

Located on Photo by:

Darrell Vig *Darrell Vig*
NRES
2202 W. Main
Sturgis SD 57785
(605) 347-4852 x3
7/15/03

SW Corner of Sec. 6-T5N-R6E
Haskell Co. S.D.

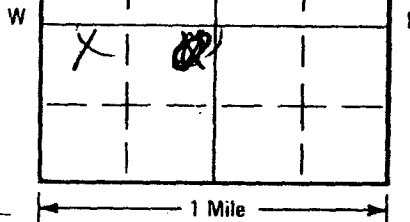
1804-1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW 1/4 SW 1/4 Sec 6 Twp 5-N Rg 6-ECounty Mende.

Please mark well location with an "X"



Well Completion Date

11-06-01

LOCATION:

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

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary Air - WaterCasing Data: ☒ Steel ☐ Plastic ☐ Other

Other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>0.5</u> LB/FT	<u>7</u> IN	<u>0</u> FT	<u>958</u> FT	<u>8 3/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

ROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>SHALE</u>	<u>140</u>	<u>94/6</u> lb./gal	<u>0</u> ft.	<u>958</u> ft.
<u>UP IT</u>		_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure Pressure grout thru casing
in float shoe, displace w/ 4" water to surface
16" H. Mud. 2.5 gpmSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 7 IN Length _____ FEETMaterial SteelJoint Size 1/2 Set From 910 Feet to 916 FeetOther information Logged & shot by
GoodwellAS A PACKER OR SEAL USED? ☐ YES ☒ NO

So, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

YES, How: Chlorine

Laboratory sent to for water

Quality analysis

_____ NO, Why Not? PermitsWell Owner: Ross Lamphele

Business Name: _____

Address: P.O. Box 445
Sturgis S.D. 57785

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>SAND + GRAVEL</u>	<u>0</u>	<u>24'</u>
<u>BLK SANDY CLAY & SHALE</u>	<u>24'</u>	<u>230'</u>
<u>BLuish SANDY SHALE</u>	<u>230'</u>	<u>770'</u>
<u>Pink Tan & Red Stone</u>	<u>770'</u>	<u>910'</u>
<u>(Fall River)</u>		
<u>Red CLAY</u>	<u>910'</u>	<u>915'</u>
<u>Multi-colored Shales</u>	<u>915'</u>	<u>1025'</u>
<u>SAND & Stone & SHALE</u>	<u>1025'</u>	<u>1100'</u>
<u>(LAKOTA)</u>		

STATIC WATER LEVEL 0 FeetIf flowing: closed in pressure 3 PSIGPM flow 3 through ONE inch pipeControlled by ☒ Valve ☐ Reducers ☐ OtherReduced Flowrate 3 GPMCan well be completely shut in? yes

WELL TEST DATA:

☐ Pumped Describe: Air Developed☐ Bailed☒ Other

Pumping Level Below Land Surface

660 ft. After 2 Hrs. Blow 60 GPM280 ft. After 1 Hrs. Blow 25 GPM

If pump installed, pump rate _____ GPM

REMARKS Logged & shot 910' to 916'
little water, drilled out shoe
6 3/4" open hole to 1100'This well was drilled under license # 568

And this report is true and accurate.

Drilling firm CIMARRON Drilling Inc.Signature of License Representative: Michael J. DauterchSignature of Well Owner or Equitable Property Holder: RECEIVED

FEB 12 2002



June 6, 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Ross Lamphere
PO Box 445
Sturgis SD 57785

Dear Mr. Lamphere:

Thank you for submitting the *Application for a Permit to Appropriate Water* for commercial use at your campground.

In order to complete the application, please submit a map showing the location of the well in relation to a government section corner or quarter corner by direction and distance is required. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties. Our suggestion is you contact the Meade County Natural Resource Conservation Service and obtain an aerial photo map. Darrel Vig or someone from that office may help mark the location of your well and will be qualified to sign the map.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

WATER PERMIT APPLICATION NO. 1804-1
ROSS LAMPHERE
SEPTEMBER 10, 2003

Water Permit Application No. 1804-1 proposes to appropriate 0.10 cubic feet of water per second (cfs) [45 gallons per minute] from one well (Inyan Kara aquifer) 1100 feet deep located in the NW¼ SW¼Sec. 6, T5N-R6E, in Meade County. The water is to be used for commercial use at a campground.

AQUIFER: Inyan Kara (INKR)

GENERAL:

The Inyan Kara well this application proposes to use was completed November 6, 2001. The South Dakota Water Well Completion Report on file for the well indicates the well was completed in accordance with the SD Well Construction Standards.

The Inyan Kara aquifer consists of the Fall River Formation and the underlying Lakota Formation. The two formations are probably hydraulically connected and therefore can be considered a single aquifer. In general, the Inyan Kara aquifer consists of interbedded sandstone (thin bedded to massive), siltstone, and shale. The aquifer is areally extensive, underling over 36,000 square miles of western South Dakota (Allen and others, 1985). The aquifer underlies 2,107,520 acres and contains an estimated 36,354,720 acre-feet of recoverable water in storage in Meade County alone (Allen and others, 1985). The Inyan Kara outcrops about one and one-half miles southwest of this well site (Strobel and others, 1999). The top of the Inyan Kara is assumed from the log for this well to be approximately 770 feet below grade. The completion report indicates that this is a free flowing well with three psi shut-in pressure. The Inyan Kara is estimated to be nearly 200 feet thick in this area (Allen and others, 1985). The thickness of the Inyan Kara aquifer does however, vary considerably within short distances.

WATER AVAILABILITY:

Average annual recharge to the Inyan Kara aquifer in the Black Hills area from 1950 through 1998, is estimated to be 11,600 acre-feet annually (Driscoll and others, 2002). The average annual withdrawals from the aquifer for the same time period were estimated to be 1,400 acre-feet/year (Driscoll and others, 2002). A simple water budget demonstrates that withdrawals from the aquifer do not exceed recharge.

The Water Rights Program monitors seven observation wells completed into the Inyan Kara aquifer in the Black Hills area. Hydrographs of most of these wells indicate the aquifer is in dynamic equilibrium showing only minor changes in water level corresponding with seasonal or climatic conditions. Water Rights' Observation Well MD-89A is located approximately 5 miles northwest of this well. The hydrograph for this well, figure 1, exhibits some interesting and as yet unexplained water level fluctuations, but clearly demonstrates the aquifer is recharged and in general, water levels of the aquifer have remained relatively constant over the period of record.

**WATER RIGHTS' OBSERVATION WELL
MD-89A**

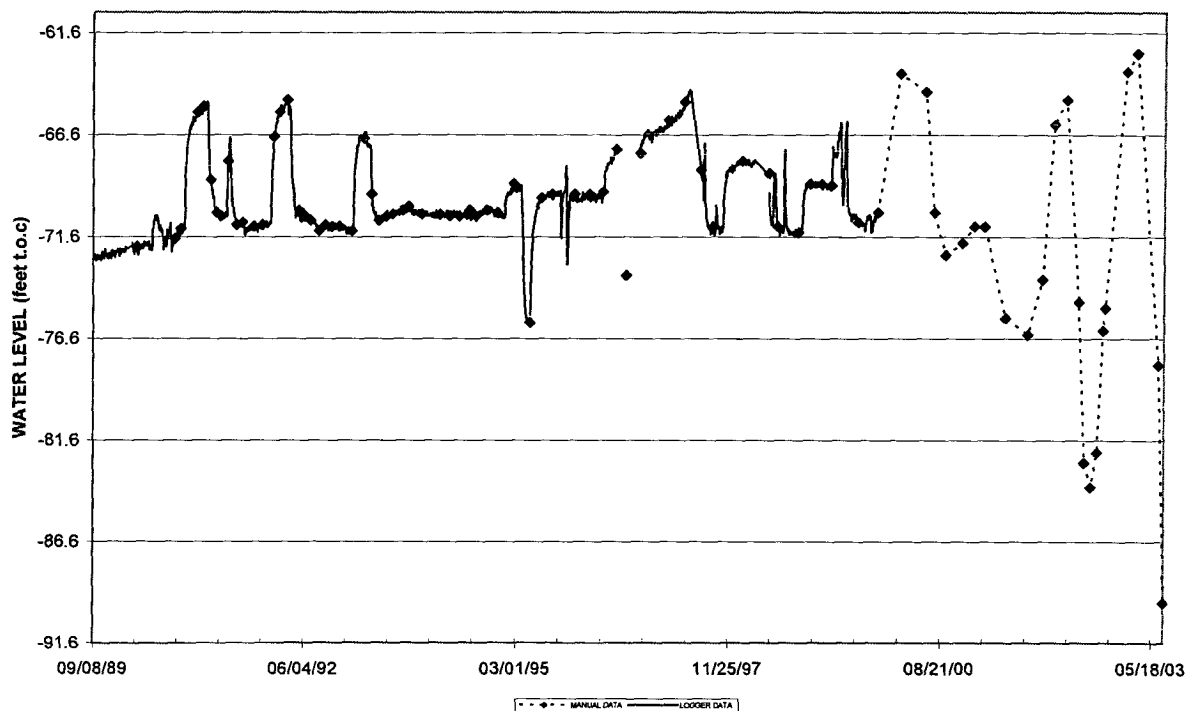


Figure 1. Hydrograph of Inyan Kara Observation Aquifer Well located approximately 5 miles northwest of the well to be used for 1804-1

The observation well data indicate water is available for this appropriation (Water Rights, 2003b).

EXISTING WATER RIGHTS:

There are several completion reports on file with the Water Rights program for domestic wells completed into the Inyan Kara aquifer in this area (Water Rights, 2003a).

The Inyan Kara Aquifer has been developed in at least 23 counties in South Dakota with 139* Water Rights/Permits (Water Rights, 2003c). There are 27* rights/permits appropriating water from the Inyan Kara Aquifer in Meade County. There are seven groundwater Permits/ Water Rights appropriating water from the Inyan Kara aquifer within two miles of the well that is to supply water for this application, see table 1.

* there is one pending application

PERMIT NO	NAME	USE	CFS	DISTANCE FROM 1804-1
1487-1	GLENCOE CAMP RESORT	COM	0.27	665'
1615-1	GLENCOE CAMP RESORT	COM	0.10	1650'
1724-1	MICHAEL BALLARD	COM	0.09	0.5 miles
1742-1	HENRY OR CONNIE PETERS	COM	0.10	1.2 miles
1718-1	ROD WOODRUFF	COM	0.04	1.8 miles
1518-1	ROD WOODRUFF	COM	0.10	1.9 miles
1502-1	USDI BUREAU OF LAND MGMT	DOM	0.02	2 miles

Table 1. Water Rights/Permits appropriating water within two miles of 1804-1

Although it is possible that drawdown from this well may be measurable in nearby wells, the impact of this appropriation cannot be predicted precisely. However, it is still possible to address whether this appropriation can be made without adversely affecting water rights, including domestic wells. In the first place, this application proposes a diversion rate of only 45 gallons per minute which should be sufficient to minimize interference. Secondly, Water Management Board rules 74:02:04 and 74:02:05, which were promulgated pursuant to SDCL 46-6-6.1, provide protection to prior appropriators only to the degree necessary to maintain an adequate depth of water in wells that have the ability to produce water independent of artesian pressure. Simply put, the pump placement in a prior appropriator's well is not necessarily protected. In fact, in past action, the Water Management Board it has concluded that if increased cost or decreased production is considered an adverse impact, it could be in conflict with SDCL 46-1-4, which requires South Dakota's water resources to be put to beneficial use to the fullest extent of which they are capable.

Although there are a limited number of domestic wells completed into the Inyan Kara aquifer in this area (Water Rights 2003a) the potential affect of this appropriation to domestic wells must be considered. It is likely that even if a domestic well completed into the Inyan Kara aquifer in this area experienced measurable interference, it would still be capable of delivering sufficient water with proper pump placement. Therefore adverse impact to domestic wells is not probable.

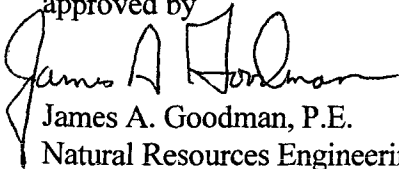
CONCLUSIONS:

1. The Inyan Kara Aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. Well interference should not be a problem at the proposed well site because of the distance from existing wells.



Ken Buhler
Natural Resources Engineering Specialist

approved by



James A. Goodman, P.E.
Natural Resources Engineering Director

REFERENCES:

- Allen, J.C., Iles, D.L., and Petres, A.K., 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, Tasks 3A.B.C. and 4A.B.: Groundwater Resource Inventory: South Dakota Department of Water and Natural Resources,
- Driscoll, D.G., Carter, J.M., Williamson, J.E. and Putnam, L.D., 2002, Hydrology of the Black Hills Area, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 02-4094, 150 p.
- Strobel, M.L., Jarrell, G.J., Sawyer, J.F., Schleicher, J.R., and Fahrenbach, M.D., 1999, Distribution of Hydrogeologic Units in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-743, 3 sheets, scale 1:100,000
- Water Rights, 2003a, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights, 2003b, "Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights, 2003c, "Water Permit Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501



**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. 1804-1, 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. 1804-1, Ross Lamphere, PO Box 445, Sturgis SD 57785.

The Chief Engineer is recommending APPROVAL of Application No. 1804-1 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 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
October 1, 2003



**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.**

October 2, 2003

Ross Lamphere
PO Box 445
Sturgis SD 57785

Dear Mr. Lamphere:

Water Permit Application No. 1804-1 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). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 2, 2003

Meade Co. Times-Tribune
PO Box 129
Sturgis SD 57785-0129

ATTENTION: Legal Public Notice

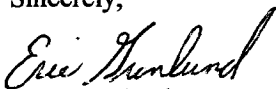
Enclosed is a Notice of Hearing on Application No. 1804-1 to Appropriate Water to be published twice. Please publish the first notice on October 8, 2003 with the second publication 7 days later.

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, PO 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
Natural Resources Engineer
605 773-3352

enclosures

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

No. 1804-1

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

Date _____

We are in receipt of your letter of October 2, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 1804-1 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 October 8, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1804-1 to Appropriate Water

Notice is given that Ross Lamphere, PO Box 445, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.1 cubic feet of water per second (45 gallons per minute) from one well (Inyan Kara Formation) 1100 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. 1804-1 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 October 27, 2003.

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

Dawn Blakeman, Being duly sworn, says, That the Meade County Times/Black Hills Press is and, during all times hereinafter mentioned, is a legal newspaper as defined in SDDCL 17-2-2, as amended, published in Sturgis, Meade County, South Dakota, by Country Media, Inc.; that affiant is and, during all of said times, was employed as an accounting clerk 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 the issue (s) bearing the following dates:

<u>Oct 8</u>	200	<u>3</u>	_____	200	_____
<u>Oct 15</u>	200	<u>3</u>	_____	200	_____
_____	200	_____	_____	200	_____
_____	200	_____	_____	200	_____
_____	200	_____	_____	200	_____

That the full amount of the fee charged for publishing the same, to-wit the sum of

\$ 2876, I insure solely to the benefit of the publisher of said newspaper; that no agreement or understanding for the division of the fees has been made with any person, and that no part of the fee has been agreed to be paid to any other person.

Dawn Blakeman

Accounting Clerk

Subscribed and sworn before me this

21 Day of October 2003

Annula Buhler
Notary Public, South Dakota

My Commission expires Feb 8, 2007

Water application

NOTICE OF APPLICATION NO. 1804-1 to Appropriate Water

Notice is given that Ross Lamphere, PO Box 445, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.1 cubic feet of water per second (45 gallons per minute) from one well (Inyan Kara Formation) 1,100 feet deep located in the NW1/4 SW1/4 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. 1804-1 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 October 27, 2003.

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. Pimer, Secretary, Department of Environment and Natural Resources.

Publ Oct. 8 and 15, 2003
Meade County Times-Tribune

RECEIVED

OCT 22 2003

WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 10 2003

Ross Lamphere
PO Box 445
Sturgis SD 57785

Dear Mr. Lamphere:

Enclosed is Water Permit No. 1804-1 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

1804-1

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

Date 12-12-03

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

FROM:

Ross Hampshire
(name)

PO Box 445
(address)

Sturgis SD 57785
(city, state, zip)

347-5858
(phone)

RECEIVED
DEC 15 2003
WATER RIGHTS
PROGRAM

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

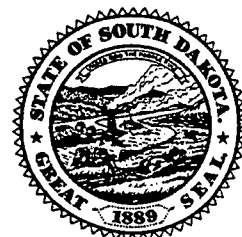
Water Permit No. 1804-1 states that the water use system is to be constructed by
10-27-08 (date), and water is to be put to beneficial use by 10-27-12 (date).

The water use system was completed on 7-15-03 (date).

Applying the water to beneficial use was completed on 7-30-03 (date).

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

Ross Hampshire
(signature)



Permit No. 1804-1
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. 1804-1, bearing the priority of 06 June 2003 authorizing the diversion of 0.1 cu. ft. per second of the waters of the Inyan Kara formation for commercial use at campground purposes, in Meade County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Cimarron Drilling
- 2) No. of Wells 1
- 3) Depth(s) 1100 feet
- 4) Well log is available Y
- 5) Comment: Pump information provided by Mike Deutch of Cimarron Drilling

Casing:

- 1) Diameter 7 inches
- 2) Length 958 feet
- 3) Type steel

Screen:

- 1) Type perforated pipe
- 2) Length 6 feet
- 3) Static water level 0 feet

Pump:

- 1) Make Grundfos
- 2) Model unknown
- 3) Capacity 40 GPM

Motor:

- 1) Make Franklin
- 2) Model No. unknown

3) Horsepower rating 5 hp

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

1) Type PVC 2) Size 2 inches 3) Length 3000 feet

C. Works used to apply water to beneficial use:

12,000 gallon storage tank

D. Compliance with Permit Requirements:

1) Permit qualifications being abided by Y

2) Exceptions to compliance are: none

The system is in good condition with the point(s) of diversion located as follows: NW ¼ SW ¼ Sec 6-T5N-R6E, approximately 260 feet east 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 0.089 cu. ft. per second of water which is to be used for commercial use at a campground.

The license should be issued for 0.089 cfs.

All structures, wells and lands on map Y

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



Mark Costello
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 18 October 2007



1804-1

Ross Lamphere
PO Box 445
Sturgis, SD. 57785



Mark Costello

Mark Costello
Natural Resources Engineer
SD DENR
18 October 2007

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



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1804-1

(1) Ross Lamphere, PO Box 445, Sturgis SD 57785 made Application No. 1804-1, June 6, 2003 for a water permit to divert 0.1 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for commercial purposes. Permit No. 1804-1, with a priority date of June 6, 2003 was approved October 27, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 27, 2008 and for the application to beneficial use of water on or before October 27, 2012.

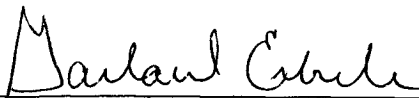
The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on December 15, 2003. The *Notice* stated the diversion system was completed on July 15, 2003 and the water placed to beneficial use on July 30, 2003.

(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. 1804-1 is issued a license, bearing a priority date of June 6, 2003 to appropriate 0.089 cubic feet of water per second from groundwater (one well) for commercial purposes.

The diversion point is located: 260 feet east 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. 1804-1 including the following now applicable qualifications:

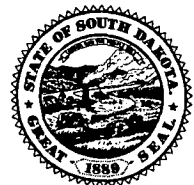
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- 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, 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