

cc Nelson

Considered: _____

WATER PERMIT NO. 1909-2

MAP No. 1909-2

Name of Applicant Arlene Vick - Whispering Pines Campground

Post Office Address Keystone Rt. Box 3703 Rapid City 57702

Amount of Water Claimed 0.05 Total Acres _____

Source of Water Supply ground water 83' well

Water to be used for COM County PE

About _____ miles _____ of _____.

PROOF OF PUBLICATION: Received 1-18-85 Not Received _____

APPLICATION: Approved 3-6-85 Subject to _____

F.F.& C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 10/9/84 Fee 50.00 Remarks _____

10/9/84

Corrected Application Received _____ Period of Annual Use May 1 to Sept. 30

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES NO REMARKS _____

N/A

Diversion Point NW $\frac{1}{4}$ NW $\frac{1}{4}$ 28-2N-5E

Land to be Irrigated _____

Well Log: Driller Alexander Daly Drilling Licensed YES #324NO

Depth of Well 83' REMARKS _____

Type of Map topo PREPARED BY Kevin Larson NRE Reviewed and the Number

assigned on 11/8/84 By Betty Westlund

Betty WESTLUND NRA III

No. <u>1909-2</u>	Hydrologic Unit <u>10120110</u>
Map No. <u>1909-2</u>	Basin <u>UC</u>
Newspaper <u>Journal, POB 450</u>	RC <u>57709</u>

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

Check use of water: Industrial ☐ Commercial ☒ Municipal ☐ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____1. Name of Applicant Arlene Vick dba/Whispering Pines Campground Phone No. 348-2300 (Season)
338-0130 (Other)Post Office Address Keystone Rt.-Box 3703, Rapid City State SD
(Street, RR or Box) Zip Code 577022. Amount of water claimed (c.f.s.) .05 c.f.s.3. Source of water supply Ground Water4. Location of point of diversion Lot K (NW $\frac{1}{4}$ NW $\frac{1}{4}$) Section 28, Township 2N (Two North),Range Five East (R5E) Black Hills Meridian,County Pennington5. Counties where water will be used Pennington6. Annual period during which water is to be used May 1 - Sept. 30

7. Give a brief description of proposed 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)

Use well with 4" submersible pump run through pipelines for
campground use.Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map
(see instruction)STATE OF SOUTH DAKOTA)
County of Pennington)^{ss}I, Arlene Vick the applicant, certify that I have read
the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and
am able to complete the necessary construction.Signed Arlene M. VickSubscribed and sworn to before me this 5th day of October 1984Notary Public (or other qualified officer)
Roger E. Vick
My Commission expires 10-18-91

WATER PERMIT

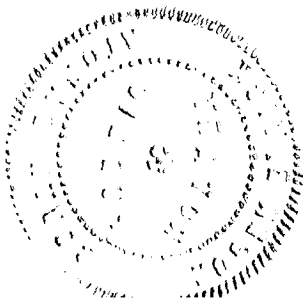
The Water Management Board hereby approves Water Permit Application No. 1909-2
Arlene Vick - Whispering Pines Campground Keystone Rt Box 3703 Rapid City
(Applicant) (Post Office Address)
South Dakota 57202 With the following qualifications.
(State) (Zip Code)

The well approved under this Permit is located near domestic 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.

Date of first receipt of application October 9, 1984
 Date of return to applicant for correction, amendments or changes required —, 19—
 Date of receipt of corrected application —, 19—. Approved March 6, 1985

The Water Management Board hereby approves this Water Permit No. 1909-2 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is October 9, 1984.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before —, 19—.
3. The whole of said work is ~~to be~~ completed ~~on or before~~ —, 19—.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is —, 19—.
5. The water appropriated shall be used for the purpose of Commercial use
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.05 cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served and to which water is actually and beneficially applied for Commercial use ~~on or before~~ —, 19—; said water to be used during the following described annual period: May 1 to September 30



WATER MANAGEMENT BOARD

By: John Halach
Chief Engineer

Division of Water Rights
 Dept. of Water and Natural Resources

APR 23 1985, 19—

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 6" Depth 83
- b) Casing Type Plastic Diameter 6" Thickness 160 PVC
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 20'
- f) Depth of Water (ground surface to water level) 40'
- g) Distance to nearest existing domestic well:
 On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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) Outlet Dimensions:
 Pipe diameter _____

Spillway width _____

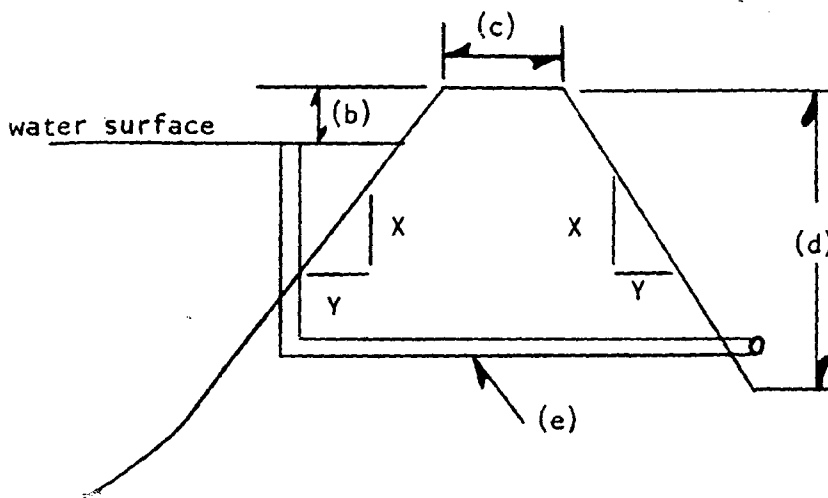
f) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Arlene M. White

Signature of Applicant

RECEIPT

Division of Water Rights

Nº 4 9788

South Dakota Department of Water and Natural Resources

Pierre, October 9, 1984

RECEIVED OF Whispering Pines Campground, Arlene Vick, dba, Keystone Rt. Box 3703, Rapid City, SD

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

57702

Fee for Application for Permit No. <u>1909-2</u> to Appropriate Water, to construct works 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 Filing Extension Request		
Fee for Certified Copy of _____		
Fee for Print Copy of Map		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch
Chief Engineer JOHN HATCH/MS

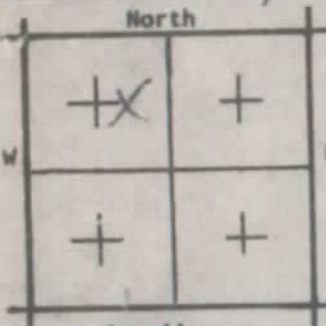
BEST IMAGE POSSIBLE FROM POOR ORIGINAL

WELL DRILLERS REPORT SOUTH DAKOTA WATER RIGHTS COMMISSION

4-78

Well Owner: Whispering Pines Camp
Name: Dave Hanson
Address: N. Pactula 3rd of
at Silver City 3rd.

Water Level Information:
Static water level 20' below land surface
If flowing: closed in pressure PSI
rate of flow GPM
Controlled by:
☐ Valve ☐ Reducers ☐ Other
If other; specify

Well Location: 
Mark location with an "X"
County Penn.
N 1/4 1 1 Sec. 28 Twp. 2N Rg. 5E

Well Test Data:
☒ Pumped W/AIR 60 gpm
☐ Bailed Describe:
☐ Other
Pumping Level Below Land Surface
ft. After Hrs. pumped GPM
" " " " " "
" " " " " "

Proposed Use:
☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:
☒ Forward Rotary ☐ Bored ☐ Jetted
☐ Reverse Rotary ☐ Cable ☐ Other
6" Hammer

Well Construction:
Diameter of Hole 6"
Depth 83'
Casing ☐ Steel ☐ Concrete
☒ Plastic ☐ Other
If other, specify 36' of 160 P.V.C.

Was casing end left open yes
Was a well screen installed
Describe Well Screen
Diameter Material
Slot size
Was well gravel packed
Was well grouted yes
Was water sample taken

Remarks:

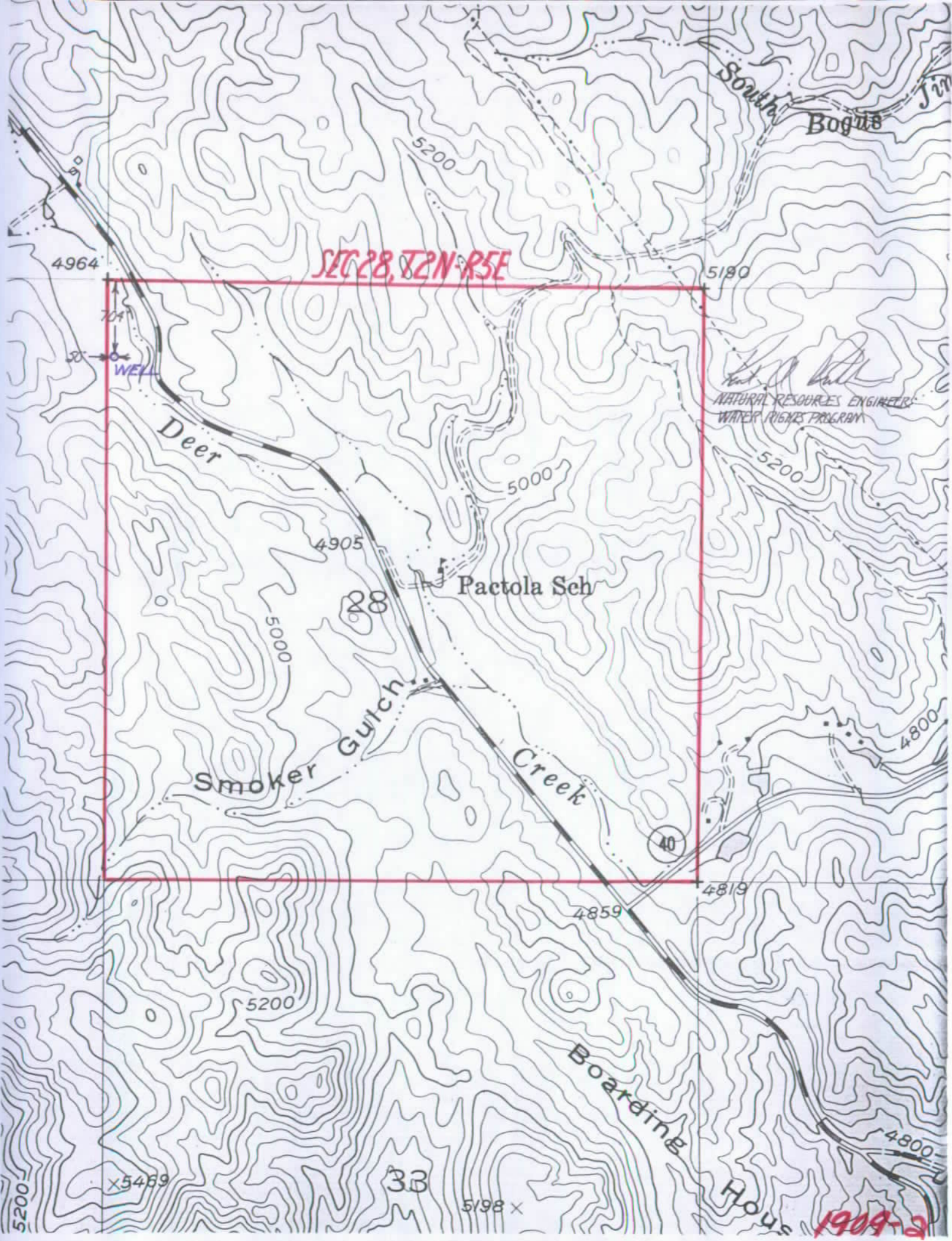
Formation	Depth	
	From	To
<u>DEPT -</u>	<u>0</u>	<u>30</u>
<u>Graded schist</u>		
<u>Schist Hd gray</u>	<u>10</u>	<u>40</u>
<u>Quartz - 15 gpm</u>	<u>40</u>	<u>42</u>
<u>Schist Hd gray</u>	<u>42</u>	<u>53</u>
<u>Quartz - 30 gpm</u>	<u>53</u>	<u>58</u>
<u>water</u>		
<u>Schist Hd. gray</u>	<u>58</u>	<u>70</u>
<u>Schist gtz. Hd</u>	<u>70</u>	<u>73</u>
<u>water - 60 gpm</u>		
<u>Schist Hd. gray</u>	<u>73</u>	<u>83</u>

(Use Back if Necessary)

Date Completed: 7-10-81

Driller: Alexander Daly 324
Driller's or Firm's Name/ License NO.
Hill City, S.D.
Address

Signed By Alexander 7-17-81
Date



SEC 28, T2N-R5E

WELL

NATURAL RESOURCES ENGINEER
WATER RIGHTS PROGRAM

Pactola Sch

28

40

1909-2

July 14, 1983

Whispering Pines
% Herbert R. Lund
Sub Rt, Box 137
Rapid City, South Dakota 57701

Dear Mr. Lund:

In reviewing our files, it was found that we do not have a water permit on file in this office for Whispering Pines.

State Law requires any common distribution system diverting more than 18 gallons per minute (gpm) to obtain a water permit. Water Permits are required pursuant to SDCL 46-1-6(19), 46-1-15, 46-5-8.2 and 46-5-10. If you divert less than 18 gpm, this letter does not apply to you, but we would request that you notify this office so future correspondence will not need to be sent to you concerning this matter.

Enclosed is a set of application forms and an instruction sheet for filing for a water permit. Please complete the applicable portions and return the forms to this office for further processing. The filing fee for diverting 45 gpm or less is \$50.00; over 45 gpm would be \$150.00.

If you have any questions, or need assistance in completing the forms, please contact this office.

Sincerely,

Genny McMath
Water Rights Specialist
Phone: 773-3352

Water Rights Division
605 773-3352

July 26, 1983

Whispering Pines
Karen Nelson
Sub Rt, Box 131
Rapid City SD 57701

Dear Ms. Nelson:

In reference to our July 25, 1983 telephone conversation, I was unable to find any record of a water permit on file for Whispering Pines or Richard Bray. If you could supply us with a legal description of the well (quarter section, section, township and range) perhaps we could find something under that instead of a name.

You mentioned that you could check with FHA to see what papers had been filed at the time the loan was obtained for the development. Maybe they could provide information as to whether a permit had been filed.

Please notify this office as to what you find out. If a water permit was never obtained, the application forms previously sent to you should be completed and submitted to this office for further processing.

Sincerely,

GENNY MCMATH
Water Rights Specialist

GM:ks

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

1909-2

September 27, 1984

Whispering Pines Campground
Keystone Rt, Box 3703
Rapid City, SD 57701

Dear Mr. & Mrs. Vick:

The Division of Environmental Quality of this Department is conducting a survey of non-community public water supply systems. As a part of the survey, we have reviewed our records and we can not find any water rights on file for Whispering Pines Campground.

A water permit is required pursuant to SDCL 46-1-15 to use water from a private source for commercial use. Any use of water, except for private domestic use, requires a water permit. Examples of commercial use are: truckstops, motels, restaurants, tourist attractions, commercial campgrounds and any other business operation. Examples of non-commercial use that require permits for private supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute.

If you have a water permit that has been issued under another name or if you believe a permit has been issued under another name, please contact us. We are enclosing the necessary permit application forms and instructions, if you need a permit. Please complete and submit with a (see instructions) filing fee.

An existing business without a water right has no right to the use of water. Except for private domestic use, any water user without a water right is not entitled to receive protection in the event of well interference by a new or future user who has a water right. The new user with a water right will have the senior priority over an existing user without a water right. In South Dakota, the first in time (senior priority) is the first in right, except for individual domestic use. Individual household, farm or ranch use does not require a permit and has preference over all other users of water.

If you have any questions or need assistance with completion of the forms, please feel free to contact us.

Sincerely,

Kevin C. Larson

Kevin C. Larson
Water Resources Engineer
Office of Water Rights
Phone: (605) 773-3352

APR submitted

Enclosures



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

October 11, 1984

Whispering Pines Campground
Arlene Vick
Keystone Rt, Box 3703
Rapid City SD 57702

Dear Ms. Vick:

Your application dated October 5, 1984 for a permit to appropriate water from groundwater was received October 9, 1984. We have not, as of this date, received the following:

A map showing the location of the diversion point. State in rods/feet from the Section line the exact location of the well. Our suggestion is that you use aerial photos which can be obtained from the ASC Office.

The map must be signed by a licensed land surveyor or a South Dakota Registered Professional Engineer or by a governmental employee who prepares such maps as a regular part of his governmental employment.

A log of the well is on file in our office and a copy has been placed with the application, drilled by Ray Alexander in 1981.

To maintain the priority date of October 9, 1984 on your Application for Permit to Appropriate Water, in accordance with SDCL 46-5-16, you will now have 60 days from the date of this letter to have the above information submitted to this office. Your Receipt No. 4 9788 in the amount of \$50.00 is on file with your application.

Sincerely,

BETTY WESTLUND
Natural Resources Analyst

BW:ks

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

October 19, 1984

Roger Vick
900 S Bahnson
Sioux Falls SD 57101

Mr. Vick:

Enclosed please find a map of the area where your campground is located. Please mark the location of the well on it, sign and return to me. That will complete your application. If you have any further questions, please contact me.

Thank you,

Kevin C. Larson

KEVIN C LARSON
Water Resources Engineer

KCL:ks

enclosure

10-24-84

MR. LARSON -

I HAVE MARKED THE WELL LOCATION ON THE
MAP AS REQUESTED AND SIGNED IT. THANK
YOU FOR YOUR ASSISTANCE IN THIS MATTER.

Sincerely,

Roger E Vick



REPORT ON APPLICATION NO. 1909-2

Whispering Pines Campground

December 27, 1984

This application proposes to appropriate 0.05 cfs from one existing 83 feet deep well located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T2N, R5E, BHM. The water is used for a campground (commercial use).

Aquifer - Pre Cambrian Rocks

Geology and Aquifer Characteristics

The rock type is a schist which is also cut by quartz veins (Darton, 1925). The permeability of these rocks is through joints, and fractures (Rahn, 1979). However, schists in the Black Hills usually exhibit fairly well defined bedding planes which may also transmit water. The driller's log indicates broken schists and quartz and that the well produced 60 gpm using air. The static water level of the well was reported to be 20 feet below land surface.

Review of Existing Water Permits

There are no existing nearby water permits in this area.

Conclusions

1. There is water available. The driller's log indicates the well produced 60 gpm.
2. There are no other permitted users in this area.

James Goodman/ks

JAMES A GOODMAN
Hydrologist

Bibliography

- Darton, N.H., 1925, Central Black Hills Folio No. 219, USGS Washington D.C.
- Rahn, P.H., 1979, Ground Water Resources of Western S.D., U.S. Army Corps of Engineers, SDSM & T Project No. 2553, Rapid City SD

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT APPLICATION

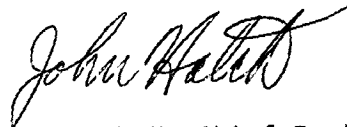
NO. 1909-2, Whispering Pines Campground

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1909-2, Whispering Pines Campground Keystone Route, Box 3703, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 1909-2 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) in the public interest with the following qualifications:

The well approved under this Permit is located near domestic 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.

See the attached report for additional information.

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division
January 3, 1985

Instruction to Newspaper - Publish first publication of the following Notice on or before January 10, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1909-2 to Appropriate Water
and/or to Amend Water Permit or Water Rights No. _____

Notice is hereby given that Whispering Pines Campground whose mailing address is Keystone Rt. Box 3703, Rapid City, South Dakota has made an application for a permit to appropriate 0.05 cubic feet per second from one existing well 83 feet deep. The well is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, T2N, R5E. The water is used for a campground.

Pursuant to SDCL 46-2A 2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1909-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on March 6 1985 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by February 22, 1985. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35, ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25, ~~(10,000 AFA)~~ 74:02:01:15:02 thru 74:02:01:15:05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 22, 1985.

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County _____)

I, Mary K. Garness hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Rapid City Journal

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City of Rapid City

County of Pennington and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

January 10, 1985

January 17, 1985

(Signature)

Bookkeeper

(Title)

January 17, 1985

(Date Signed)

Cost of Printing: Ran 7 11/16 inch legal
advertising in the Rapid City Journal
on January 10 & 17 @ \$4.20 per inch
= \$64.58

Ran public notice of water application

Jan. 10, 17 L377
NOTICE OF HEARING
On Application No. 1909-2
To Appropriate Water

Notice is hereby given that
Whispering Pines Campground
whose mailing address is Keystone
Rt., Box 3703, Rapid City, South
Dakota has made an application for a
permit to appropriate 0.05 cubic feet
per second from one existing well 83
feet deep. The well is located in the
NW1/4 NW1/4 Section 28, T2N, R5E.
The water is used for a campground.

Pursuant to SDCL 46-2A-2 the Chief
Engineer of the Water Rights Divi-
sion recommends approval of Ap-
plication No. 1909-2 because 1) unap-
propriated water is available, 2) will
be no unlawful impairment of ex-
isting rights, 3) is beneficial use of
water and 4) is in the public interest.

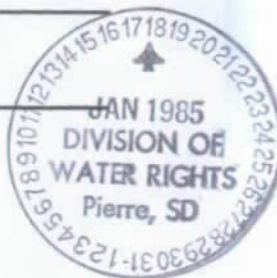
This application will be considered
by the Water Management Board of
Room 216, Joe Foss Building, 523 E.
Capitol, Pierre, S.D. on March 6, 1985,
at 10:00 a.m.

The recommendation of the Chief
Engineer is not final or binding upon
the Board and the Board is authorized
to make a determination of this ap-
plication after it reaches a conclusion
based upon facts presented at the
public hearing. Any interested person
who may be affected by a Board deci-
sion and who intends to participate in
the hearing before the Board and pre-
sent evidence or cross-examine
witnesses according to SDCL 1-26,
must file a written petition with
BOTH the Applicant and the Chief
Engineer by February 22, 1985. The
petition may be informal, but it must
include a statement describing the
petitioner's interest in the application,
the reason for the petitioner's opposi-
tion to or support of the application,
and the signature and mailing ad-
dress of the petitioner or his legal
counsel if legal counsel is obtained.
The applicant need not file a petition.

This application is made pursuant
to the provisions of SDCL 46-1-1 thru
46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-
2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru
46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-
31; 46-2A-1 thru 46-2A-10; 46-2A-12; 46-
6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13,
46-6-14; and Board Rules ARSD
74-02:01 thru 74-02:01:15.

This hearing is an adversary pro-
ceeding. The applicant or any person,
after filing a petition, has the right to
be present or to be represented by a
lawyer. These and other due process
rights will be forfeited if they are not
exercised. Decisions of the Board
may be applied to the Circuit Court
and the State Supreme Court as pro-
vided by law.

Any person wishing a copy of the
Chief Engineer's recommendation,
further information on this applica-
tion or to assure access to the hearing
by the handicapped can contact the
Water Rights Division, DWRN, Joe
Foss Bldg., Pierre, S.D. (605 773-3352)
for assistance prior to the hearing
date. The time of the hearing will be
automatically extended for at least
twenty days upon written request of
the applicant or any person who has
filed a petition to oppose or support
the application. The request for ex-
tension must be filed with the Chief
Engineer by February 22, 1985.





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

APR 23 1985

Whispering Pines Campground
Keystone Rt, Box 3703
Rapid City SD 57702

Dear Ms. Vick:

Enclosed is your Water Permit No. 1909-2 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in black ink that reads "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

March 3, 1998

1909-2

Peter Kronenberg
Whispering Pines Campground
22700 Silver City Road
Rapid City SD 57702

Dear Mr. Kronenberg:

The investigation of the water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 1909-2, was completed by Ken Buhler on September 18, 1997. The final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee, we will begin processing the Water License.

Also, enclosed is *Notice of Transfer of Ownership* form. This form needs to be completed, signed by the new owners, notarized and returned with a \$2.50 filing fee.

Please submit \$52.50 to: Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Karen Schlaak
Karen Schlaak
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1909-2

Date: 3/11/98

I/We request that Water Permit No. 1909-2

formerly owned by: Arlene Vick, dba Whispering Pines Campground

be transferred to: (name & address) Black Hills Recreation, Inc. d/b/a
Whispering Pines Campground Rapid City Telephone No. 605 341-3662
22700 Silver City Rd.
SD 57702

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

1 well - NW 1/4 NW 1/4 Section 28-T2N-R5E

I/We understand that the validity of Water Permit No. 1909-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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 attached to cover the filing fees as required under SDCL 46-2-13.

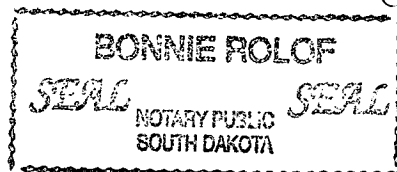
STATE OF SOUTH DAKOTA)

County of Pennington)

I/We Peter W. Kronenberg - President being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Peter W. Kronenberg
(Signed)

Subscribed and sworn to before me this 11th day of March, 19 98.



Bonnie Rolof
(Notary Public)
My Commission Expires: 10-9-2004

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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

NO 415683

Pierre, March 13, 19 98

RECEIVED OF Black Hills Recreation, Inc., 22700 Silver City Rd., Rapid City, SD 57702-0040
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 Water Permit No. 1909-2

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 50

By _____
Chief Engineer

John Hatch (P)

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 415684

Pierre, March 13, 1998

RECEIVED OF Black Hills Recreation, Inc., 22700 Silver City Rd., Rapid City, SD 5702-6040
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. 1909-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By

Chief Engineer

John Hatch (P)

Permit No. 1909-2
Upper Cheyenne 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 18, 1997**, made a thorough examination of the water use system constructed by **Whispering Pines Campground** of **Rapid City** holder of Permit No. **1909-2**, bearing the priority of **October 9, 1984** authorizing the diversion of **0.05** cu. ft. per second of the waters of **groundwater** for **commercial** purposes, in **Pennington** County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

Water is diverted from a well 83 feet deep, cased with 6-inch diameter PVC casing, located 704 feet south and 50 feet east of the north west corner of Sec. 28, T2N-R5E (NW¼ SW¼ NW¼ NW¼ Sec. 28, T2N-R5E). Water is pumped with a Meyers Submersible pump capable of producing 12 gallons per minute.

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

Water is transported to place through approximately 1000 feet of 2-inch diameter PVC pipe and approximately 1500 feet of 1-inch diameter polyethylene pipe.

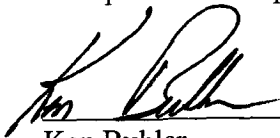
C. Works used to apply water to beneficial use:

Water is applied to beneficial use in 46 campsites, restrooms, showers, laundry, a general store (culinary and sanitary), a private home, and a hydrant.

The system is in the following condition **good**. The point of diversion is located **704 feet south and 50 feet east of the north west corner of Sec. 28, T2N-R5E**. The works are capable of diverting and conveying to the place of use **0.03** cu. ft. per second of water which is to be used for **commercial purposes**. The license should be issued for **0.03** cfs.

Applicable permit qualifications have been complied with: **yes**

Exceptions to compliance are: **n/a**



Ken Buhler
Natural Resources Engineer
DENR, Water Rights Program

2/11/98

Date

REPORT ON INSPECTION OF PERMIT NO. 1909-2

Other permit(s) associated with the project: none

NAME & ADDRESS OF INSPECTION CONTACT Peter Kronenberg

22700 Silver City Road

Rapid City, SD 57702

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Whispering Pines Campground

22700 Silver City Road

Rapid City, SD 57702

DATE OF INSPECTION: September 18, 1997

**DIVERSION POINT LEGAL LOCATION: 50 feet east and 704 feet south of the north west corner
of Sec. 28, T2N-R5E, (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28,
T2N-R5E)**

WELL INFORMATION:

- 1) Well Drilling Firm: Alexander Drilling
- 2) No. of Wells one
- 3) Depth(s) 83 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 6 inches
- 2) Length 36 feet
- 3) Type PVC

Screen:

- 1) Type none- open hole completion
- 2) Length 47 feet open hole interval
- 3) Static water level 20 feet

Pump:

- 1) Make Meyers Submersible
- 2) Model 2ST72-12
- 3) Size ¾ horsepower
- 4) Capacity 12 GPM

DISTRIBUTION LINES OR CANALS:

- 1) Type PVC 2) Size 2 inches 3) Length 1000 feet
- 1) Type PVC 2) Size 1 inches 3) Length 1500 feet

SYSTEM SUMMARY:

Campground contains 46 sites with water, a general store, restrooms/showers/laundry, and a rental house.

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period n/a

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1909-2

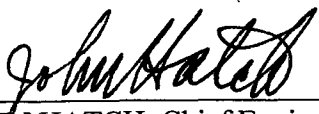
(1) Arlene Wick, dba, Whispering Pines Campground, Rapid City SD made Application No. 1909-2, October 9, 1984 for a water permit to divert 0.05 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for commercial purposes. Permit No. 1909-2, with a priority date of October 9, 1984 was approved March 6, 1985 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

On March 13, 1998, Water Permit No. 1909-2 was transferred to Black Hills Recreation, Inc., dba Whispering Pines Campground.

(2) It is certified that the applicant 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 0.03 cubic feet of water per second for beneficial use. The location of the diversion point is 704 feet south and 50 feet east of the northwest corner of Section 28-T2N-R5E (NW 1/4 NW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use at the campground.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Black Hills Recreation, Inc., dba Whispering Pines Campground, 22700 Silver City Road, Rapid City SD 57702 the holder and/or owner of Water Permit No. 1909-2 is issued a license to appropriate water, the right to use 0.03 cubic feet of water per second from groundwater (one well) with a priority date of October 9, 1984 from the location specified in (2) of this license for the purpose of commercial use. This license is subject to any limitations or qualifications listed in Water Permit No. 1909-2 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 23 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

APR 23 1998

1909-2

Black Hills Recreation, Inc. dba
Whispering Pines Campground
Peter Kronenberg
22700 Silver City Road
Rapid City, SD 57702

Dear Mr. Kronenberg:

Enclosed is Water License No. 1909-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 415683 and 415684 in the amounts of \$2.50 and \$50.00 which you paid for the transfer of ownership, investigation and issuance of the Water License.

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. 1909-2, 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.

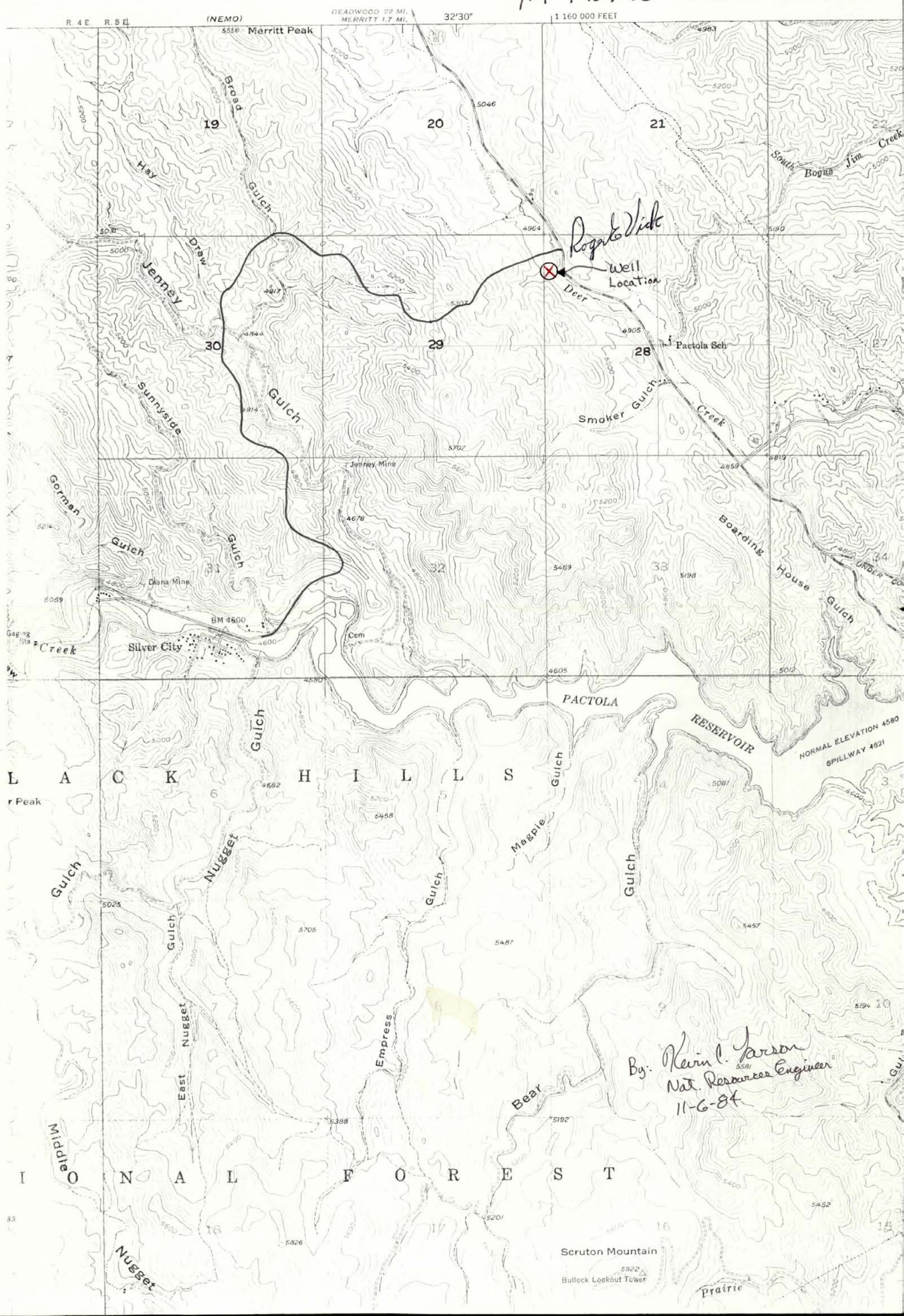
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

A/M 1909-2





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 13, 2011

1909-2

Ms. Rhamy
Whispering Pines Campground
22700 Silver City Rd
Rapid City SD 57702

Dear Ms. Rhamy:

I am writing in follow-up to your phone conversation with Eric Gronlund in our program concerning the ownership change needed for Water Right No. 1909-2.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water right for your records. If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures: Transfer form
 Copy of No. 1909-2
 Postage paid envelope

RECEIVED

JUL 19 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1909-2

Date: _____

I/We request that Water Right No. 1909-2

formerly owned by: Black Hills Recreation dba Whispering Pines Campground

be transferred to: (name & address) Flying R LLC dba Whispering Pines
22700 Silver City Rd Campground
Rapid City SD 57703 Telephone No. 605-341-3667

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

Well located in the NW ¼ NW ¼ Section 28, T2N, R5E

I/We understand that the validity of Water Right No. 1909-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Gale & Kelly Rhany, the new owner, certify that the above information is true and correct.

Kelly C Rhany
Gale J Rhany
(Signed by new owner)

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 7/19, 20 11

RECEIVED OF Whispering Pines Campground K Rhamy 22700 Silver City Rd Rapid City SD

57703

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. _____		
Fee for Filing Transfer Form <u>1909-2</u>		
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. **06002**

By Gordon Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 19, 2011

1909-2

Gale & Kelly Rhamy
Whispering Pines Campground
22700 Silver City Rd
Rapid City SD 57702

Dear Mr. & Mrs. Rhamy:

We have received the transfer of ownership form and filing fee from you to change ownership of Water Right No. 1909-2.

The ownership change has been completed. Water Right No. 1909-2 formerly held by Black Hills Recreation dba Whispering Pines Campground is now listed in the name of Flying R LLC dba Whispering Pines Campground.

Enclosed for your records is Receipt No. 05002 in the amount of \$50.00. If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 10, 2013

1909-2

Harley West
Whispering Pines Campground
22700 Silver City Rd
Rapid City SD 57703

Dear Mr. West:

Thank you for contacting us regarding the ownership change needed for Water Right No. 1909-2.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure

JUN 20 2013

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1909-2

Date: June 17, 2013

I/We request that Water Right No. 1909-2

formerly owned by: Flying R LLC dba Whispering Pine Campground (Gale & Kelly Rhamy)

be transferred to: (name & address) Red Sky Enterprises LLC
(Harley & Lisa West) dba Whispering Pines Campground
22700 SILVER CITY Rd SILVER CITY, SD 57702 Telephone No. (605) 341-3667

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

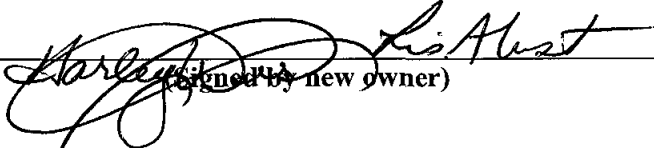
Well located in the NW ¼ NW ¼ Section 28, T2N, R5E

I/We understand that the validity of Water Right No. 1909-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Harley & Lisa West, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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 6/20, 20 13

RECEIVED OF Red Sky Enterprises LLC 22700 Silver City Rd Silver City SD 57702

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. _____		
Fee for Filing Transfer Form <u>1909-2</u>		
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. **06360**

By *Jeannette Looman*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 20, 2013

1909-2

Harley & Lisa West
Whispering Pines Campground
22700 Silver City Rd
Rapid City SD 57703

Dear Mr. & Mrs. West:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership of Water Right No. 1909-2.

The ownership change has been completed. Water Right No. 1909-2 formerly held by Flying R LLC dba Whispering Pines Campground is now listed in the name of Red Sky Enterprises LLC dba Whispering Pines Campground.

Enclosed for your records is Receipt No. 06360 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads 'Genny McMath'.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure