

Considered: _____

WATER PERMIT NO. 1946-2

MAP No. Same

Name of Applicant Lake Park Campground

Post Office Address RR 11 Box 1490 Rapid City

Amount of Water Claimed 0.05 cfs Total Acres _____

Source of Water Supply Groundwater

Water to be used for Com County Pennington

About _____ miles _____ of in Rapid City

PROOF OF PUBLICATION: Received DT 11-5-85 Not Received _____

APPLICATION: Approved 12-4-85 Subject to _____

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

PRIORITY _____ Date Received 6-28-85 Fee \$50.00 Remarks fee reviewed

9-26-85 9-26-85

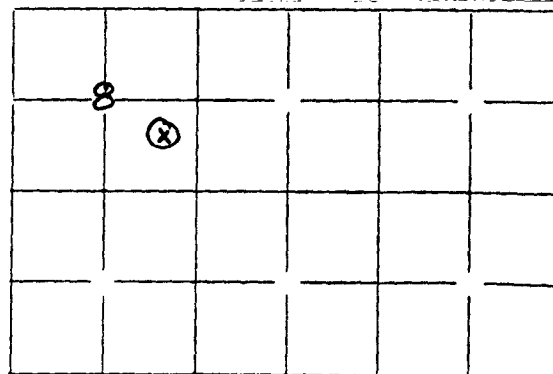
Corrected Application Received _____ Period of Annual Use Jan 1 To Dec 31

WATER QUALITY APPROVAL RECEIVED N.A. APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point NE 1/4 SE 1/4 Section 8 T1N-R7E

Land to be Irrigated N.A.



Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well ~25 feet REMARKS well drilled in the late 40's
no log available

Type of Map USGS Topo. PREPARED BY K.C. Larson Reviewed and the Number

assigned on 9-27-85 By Kevin C. Larson

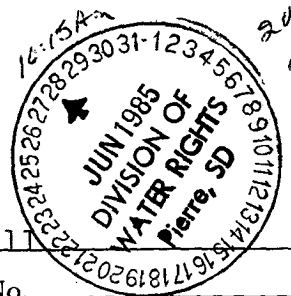
No. <u>1946-2</u>	Hydrologic Unit <u>10120110</u>
Map No. <u>Same</u>	Basin <u>Upper Cheyenne</u>
Newspaper <u>R.C. Journal</u>	<u>Box 450</u>

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 retained
 Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☒ Existing Well
☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____
☐ Construction to use water reserved by Future Use Permit No. _____



- Name of Applicant LAKE PARK CAMPGROUND Phone No. 605-341-5320
 Post Office Address RR 11 Box 1490 Rapid City, SD State 57702
(Street, RR or Box) Zip Code
- Amount of water claimed (c.f.s.) .05
- Source of water supply Well
- Location of point of diversion Rapid City

 _____ County Pennington
- Counties where water will be used Pennington
 _____ Commercial _____ Domestic _____
- Annual period during which water is to be used (May - Sept) (year round) _____
- 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)
Existing well

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, DENNIS DVORACEK 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 Dennis Dvoracek

Subscribed and sworn to before me this 21st day of June 19 85
Debbie Lou Hansen
 Notary Public (or other qualified officer)

My Commission Expires
September 20, 1986

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1946-2
Lake Park Campground RR 11 Box 1490, Rapid City
(Applicant) (Post Office Address)
South Dakota 57702 With the following qualifications.
(State) (Zip Code)

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.

Date of first receipt of application June 28, 1985.
 Date of return to applicant for correction, amendments or changes required July 16, 1985.
 Date of receipt of corrected application September 26, 1985. Approved December 4, 1985.

The Water Management Board hereby approves this Water Permit No. _____ 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 September 26, 1985.
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 campground water supply
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 Campground use on or before _____, 19____; said water to be used during the following described annual period: January 1 to December 31

WATER MANAGEMENT BOARD

By: John H. Hatcher
Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources

FEB 11 1986

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter $6\frac{1}{2}$ Depth 25
- b) Casing Type Steel Diameter 5" Thickness _____
- c) Screen Type None Diameter _____ Thickness _____
- d) Gravel Pack Thickness None Length of Gravel Pack None
- e) Depth to Top of Water Bearing Material 6'
- f) Depth of Water (ground surface to water level) 8'
- g) Distance to nearest existing domestic well:
On applicants property 100 yards On property owned by others unknown

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

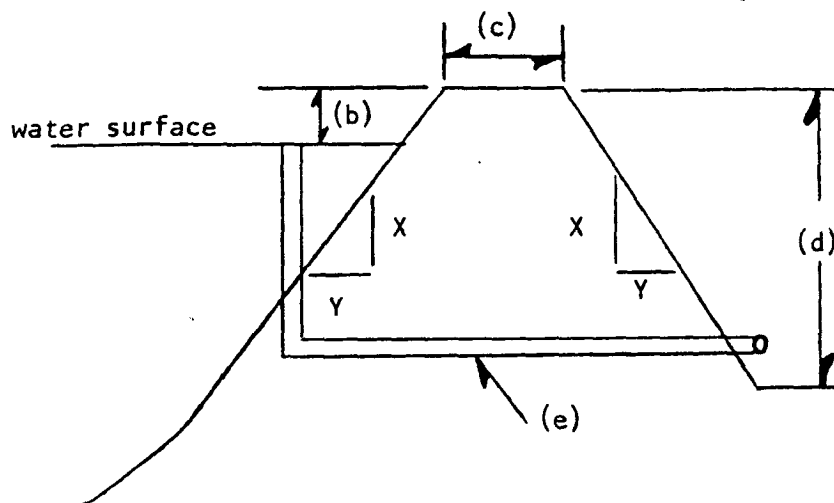
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant

4600679

ID# NEW SYSTEMSurvey taken by DON BACHAND Survey date 7/30/84Is system active or inactive ACTIVEIf inactive, deactivation date N/ADeactivation reason N/ALocation of NC PWS NEAR CANYON LAKE, RAPID CITYType of NC PWS (campground, motel, resort, etc.) CAMPGROUNDName of NC PWS LAKE PARK CAMPGROUNDNC PWS mailing address RT 11, Box 1490, RAPID CITY Telephone # 342-5320Name of Operator/Manager BILL NICKELOwner of NC PWS PERRY LEWISOwner's mailing address SAMEType of owner: private (☒ city () state () federal () other ()County NC PWS located in PENNINGTON Seasonal operation dates MAY-SEPNumber of people served: Average daily 120 Peak daily 200Comments on type of people (transient vs. permanent) TRANSIENTPLUS 1 PERM DWELLINGWater source (well, spring, lake, river, other) WELLSource name UNKNOWNVisual inspection of water source (comments) N/AObservation of owner/operator making a turbidity test (if source is a surface supply). (comments) N/ASurface Area Characteristics LOCATED NEXT TO CANYON LAKE,
GRAVEL ROADS WITH GRAVEL PARKING AREAS,
GRASS AREAS AND TREES.

Wells: drilled (☒) bored () dug () driven ()

Well depth 30 FT

Casing material STEEL

Casing diameter 8" Height casing top above ground 6"

Grouted UNKNOWN Grouted to what depth UNKNOWN

Date of well construction UNKNOWN

Distance to: Septic tank CITY SEWER Disposal field N/A

Is well situated in a pit or depression where it will be subject to flooding

N/A

Any known private sewage systems nearby N/A

Any known source of contamination N/A

Pump:

Well pump type SCB Capacity UNKNOWN GPM

Number of service connections 2 1 - RATH HOUSE
1 - CAMPGROUNDS

Pumphouse floor/ housekeeping N/A

Storage:

Size and type of storage N/A

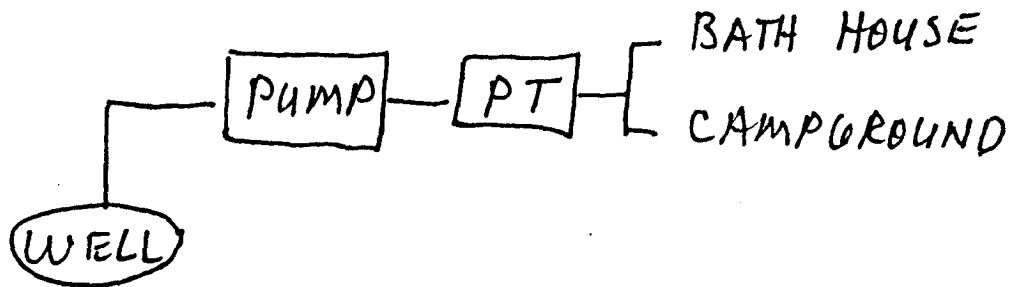
Cover/manhole conditions (overlapping cover?) N/A

Overflow and vents screened N/A

Distance from pits/ contamination/ drainage N/A

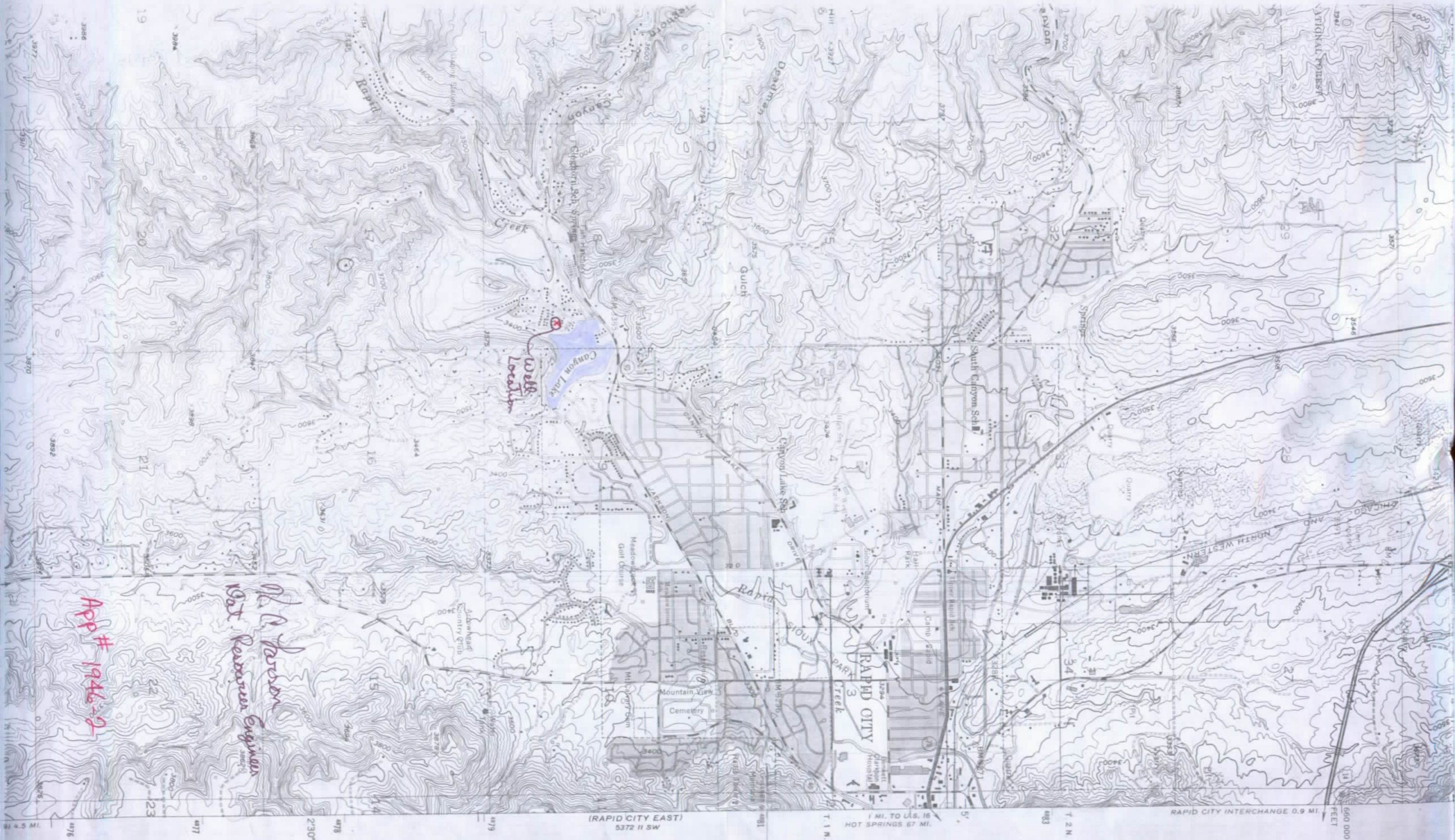
General condition N/A

Block diagram of system:



Short report on system:

THIS SYSTEM USES A SUBMERCIBLE PUMP AND PRESSURE TANK TO SUPPLY WATER TO A BATH HOUSE AND CAMPGROUND. NO DISINFECTION IS USED.



Well Location

W.C. Jensen
Nat. Reservation Engineer

APP # 1944-2

(RAPID CITY EAST)
5372 II SW

1 MI. TO U.S. 16
HOT SPRINGS 67 MI.

RAPID CITY INTERCHANGE 0.9 MI.

660 000
FEET

July 23, 1981

Lake Park Campground
% Perry K. Lewis
Rapid City, South Dakota 57701

Dear Sir:

We are contacting all campground owners to advise them of the requirement and reasons for obtaining a water permit to use water from a well or surface supply for a commercial campground. If you obtain your water from a municipality, rural water system or other community system that already has water rights, you do not need a permit and this letter does not apply to your operation.

Enclosed are the application forms and instructions to apply for a water permit. Although State Law does require anyone using water for other than individual household domestic use or livestock watering to have a water permit, there are also several advantages to having a permit.

1. A water permit becomes a water right that entitles you to appropriate water for your commercial operation. The water right is also a property right that cannot be lost unless the water is not used.
2. In the event a large capacity well were to be authorized by a permit and pumped near your campground, you would have no protection if there were any adverse affects on your water supply. In fact, without a permit, the large capacity well owner would have seniority and you would have no rights to any water.
3. The State water rights system operates on the first in time is first in right basis. This means the senior water right has first call on the water except for domestic use. The non-domestic water user without a water right has no rights or protection in the event of water shortage conditions.

There are several commercial operations such as yours that have not established water rights. Normally there has been no problem even though the water user is operating without a permit. The reason being, the amount of water pumped is not large enough to adversely interfere with nearby domestic wells or existing rights. The difficulty occurs when we receive a legitimate complaint and it is necessary to shut down the water use operations that do not have permits. Since water use in South Dakota is increasing, the possibility of complaints or water

Lake Park Campground
Page 2
July 23, 1981

supplies being fully appropriated is also increasing. The Water Management Board approves or denies all water permit applications. At almost each meeting, someone appears to protest an application. Upon questioning it has been determined in several cases that the person protesting is a non-domestic water user and thus he has no rights or legal standing even though he may have been using water for several years.

I would certainly suggest that you establish your water rights at this time. Such rights would provide future protection for continuing your operation and give you legal rights in the event of future large capacity well development in your area.

I believe you can get by for the one time minimum filing fee of \$150.00. Other costs will be for preparation of a map, advertising twice in the newspaper, and a one time \$50.00 final inspection fee.

If you have any questions or need any assistance, please let us know.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

Enclosure

a73202.jh



Department of Water & Natural Resources

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

September 27, 1984

Lake Park Campground
Rt. 11, Box 1490
Rapid City, SD 57701

Dear Mr. Nickel:

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 Lake Park 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,

A handwritten signature in dark ink that reads "Kevin C. Larson". The signature is written in a cursive, flowing style.

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

Enclosures



Department of Water & Natural Resources

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

April 25, 1985

NOTICE

Lake Park Campground
Rt 11, Box 1490
Rapid City, South Dakota 57701

Dear Mr. Nickel:

September 27, 1984 we notified you that State Law requires that a water permit be obtained for any use of water from a private source for use in a campground. We have not heard from you on this. Failure to comply with State Laws--SDCL 46-1-6(6), 46-1-15, 46-5-8.2, 46-5-9, and 46-5-10 and Water Management Board Rule ARSD 74:02:01:03--can result in an order to stop water use until an application for a water permit has been submitted and approved.

If you have questions or need another set of permit applications forms or if you believe you already have the required water permit or need assistance in completing the forms, feel free to contact us. Please submit the completed application forms prior to June 25, 1985.

Sincerely,

A handwritten signature in cursive script that reads "John Hatch". The signature is written in black ink and is positioned above the typed name and title.

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

S519.WR

Water Rights Division
605 773-3352

July 16, 1985

Lake Park Campground
Dennis Dvoracek
RR 11, Box 1490
Rapid City SD 57702

Dear Mr. Dvoracek:

Thank for submitting your water permit application. I am returning your check for \$50.00 and a copy of Form 2B. If your well has been in continuous use since prior to 1955 then it would qualify for a vested right. Form 2B must be completed and returned to our office along with a \$10.50 filing fee. If Form 2B cannot be completed then a filing fee of \$50.00 would be required. I am also enclosing a map of your area, please mark the well location on it and return to our office. Upon receipt of the above we will continue processing your application.

Thank you,

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

enclosures

LAKE PARK CAMPGROUND
RR 11 Box 1490
Rapid City, SD 57702
June 18, 1985

Kevin C. Larson
SD Department of Water
& Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Dear Mr. Larson:

We purchased the Lake Park Campground in the fall of 1984. We recently received your correspondence regarding water use rights.

In reviewing campground records we cannot find a water use permit. However, this campground has had existing well service since 1948. The well serves as water source for the campground and three rental cabins. The cabins are rented year round to permanent tenants.

The campground has changed hands on numerous occasions since 1948. Any permit previously issued has been lost.

We have completed your forms to the best of our knowledge and have enclosed our check for the \$50 fee. However, we cannot understand why a business with continuous service since 1948 should suddenly need a permit. Certainly a grandfather clause should apply.

We have not enclosed a map because the cost of obtaining will be approximately \$200.00 and it should not be necessary under the circumstances.

Sincerely,

Diane Dvoracek

Dennis & Diane Dvoracek



Lake Park Campground
RR 11 Box 1490
Rapid City, SD 57702
September 25, 1985



Department of Water & Natural Resources
Division of Water Rights
Joe Foss Building
Pierre, South Dakota 57501

Attention Kevin Larson

Dear Mr. Larson:

We are unable to locate the people who installed the original water system in 1948.

We are therefore returning the application with our check for \$50.00.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Diane Dvoracek'.

Diane Dvoracek

RECEIPT

Division of Water Rights

No 410200

South Dakota Department of Water and Natural Resources

Pierre, September 26, 1985

RECEIVED OF Lake Park Campground, RR 11, Box 1490, Rapid 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 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

Chief Engineer

JOHN HATCH

ks

REPORT ON APPLICATION NO. 1946-2

LAKE PARK CAMPGROUND

September 30, 1985

This application proposes to appropriate 0.05 cfs from one existing well approximately 25 feet deep located in the NE 1/4 NE 1/4 Section 8, T1N, R7E BHM. The water is used to supply a campground and permanent residents.

Aquifer - Alluvium (sand and gravel)

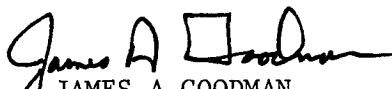
The alluvium consists of silty sand and lenses of gravel and varies in thickness from 5-40 feet (Cattermole, 1969). The alluvium is in hydraulic connection with Rapid Creek. The Canyon Lake Dam is probably stabilizing the ground water level in the Alluvium by acting as a constant head, that is, keeping the groundwater level at or near the water level in the lake.

Review of Existing Water Permits

There is an existing Permit No. 1943-2 within a few hundred feet of this application (Goodman, 1985) which obtains water from the Minnelusa Formation. In this area the Minnelusa and the Alluvium may be hydraulically connected. The diversion rates are small and interference should not be a problem.

Conclusions

1. Water is available from the alluvial aquifer.
2. Interference should not be a problem because of relatively low pumping rates.
3. No attempt has been made to quantify the affects of this diversion upon existing surface water supplies.
4. This well is reported to have been in existence and used for this purpose since 1948. The owners decided to apply for a new permit because they were unable to obtain verification of the 1948 date.


JAMES A GOODMAN
Hydrologist

Bibliography

Cattermole, M.J., 1969, Geologic Map of the Rapid City West Quadrangle, Pennington County, SD, Map GQ-828, USGS, Washington D.C.

Goodman, J.A., 1985, Report on Application No. 1943-2 For Lake Park Motel, DWNR, Water Rights Division, Joe Foss Building, Pierre SD 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

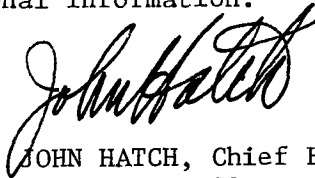
APPLICATION NO. 1946-2, Lake Park Campground

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. 1946-2, Lake Park Campground, RR 11, Box 1490, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 1946-2 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 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.

See the attached report for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", written in a cursive style.

JOHN HATCH, Chief Engineer
October 9, 1985

No. 1946-2

Instruction to Newspaper - Publish first publication of the following Notice on or before October 25, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1946-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Lake Park Campground whose mailing address is
RR 11, Box 1490, Rapid City, South Dakota has made an application for a permit

to appropriate 0.05 cubic feet per second from one existing well approximately 25 feet deep located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T1N-R7E. Water is used to supply a campground and permanent residents.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1946-2 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 Howard Johnson,
Badlands Room, 2211 LaCrosse, Rapid City, SD, December 4 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 November 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; ~~(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 November 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 _____

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:

October 25, 1985

November 1, 1985

(Signature)

Bookkeeper

(Title)

November 1, 1985

(Date Signed)

Cost of Printing: Ran 8 9/16 inch legal
advertising in the Rapid City Journal
on October 25 & November 1 @ \$4.20 per
inch = \$71.92

Ran public notice of hearing

WNR-808-7/79
Proof of Publication

Oct. 25, Nov. 1 L-98

NOTICE OF HEARING
ON APPLICATION 1946-2
TO APPROPRIATE WATER

Notice is hereby given that Lake
Park Campground whose mailing
address is RR 11, Box 1490, Rapid
City, South Dakota has made an ap-
plication for a permit to ap-
propriate 0.05 cubic feet per second
of water from one existing well ap-
proximately 25 feet deep located in
the NE 1/4 SE 1/4 Section 8, T1N-R7E.
Water is used to supply a cam-
pground and permanent residents.

Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water Rights
Division recommends Approval of
Application No. 1946-2 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 con-
sidered by the Water Management
Board at Howard Johnson's,
Badlands Room, 2211 LaCrosse St.,
Rapid City, S.D., December 4, 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 determina-
tion on this application after it
reaches a conclusion based upon
facts presented at the public hear-
ing. Any interested person who
may be affected by a Board deci-
sion 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 November 22, 1985.
The petition may be informal, but it
must include a statement describ-
ing the petitioner's interest in the
application, the reason for the peti-
tioner's opposition to or support of
the application, and the signature
and mailing address of the peti-
tioner or his legal counsel if legal
counsel is obtained. The applicant
need not file a petition.

This application is made pur-
suant 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; 46-2A-1 thru
46-2A-10, 46-2A-12, 46-2A-14,
46-2A-15; 46-5-1 thru 46-5-13
thru 46-5-15, 46-5-24, 46-5-25,
46-5-30.2, 46-5-31; 46-6-3, 46-6-3.1,
46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and
Board Rules ARSD 74:02:01:01 thru
74:02:01:15.

This hearing is an adversary pro-
ceeding. The applicant or any per-
son, 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 ap-
pealed 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 applica-
tion or to assure access to the hear-
ing by the handicapped can contact
the Water Rights Division, DWNRR,
Joe Foss Bldg., Pierre, S.D.,
(605-773-3352) for assistance prior
to the hearing date. The time of the
hearing will be automatically ex-
tended for at least twenty days
upon written request of the ap-
plicant or any person who has filed a
petition to oppose or support the ap-
plication. The request for extension
must be filed with the Chief
Engineer by November 22, 1985.





Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

FEB 11 1986

Lake Park Campground
RR 11, Box 1490
Rapid City, SD 57702

Dear Sir:

Enclosed is your Water Permit No. 1946-2 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 cursive script that reads "John Hatch". The signature is written in dark ink and is positioned above the printed name and title.

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

REPORT ON INSPECTION OF PERMIT NO. 1946-2, Lake Park Campground

DATE OF INSPECTION: September 10, 1997

Other permit(s) associated with the project: None

Contact Person & Address: c/o Scott and Sherri Nelson, 2850 Chapel Lane, Rapid City,
SD 57702

DIVERSION POINT LEGAL LOCATION: approximately 1746 feet north and 609 feet west of
the SE Corner (NE1/4 SE1/4) Section 8, T1N, R7E

WATER SUPPLY Source: approximately 25 foot well

Well Information:

- | | |
|---------------------------------------|--------------------------|
| 1) Well Drilling Firm: <u>unknown</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>approx. 25 feet</u> | |

Casing:

- | | |
|-----------------------------|--------------------------|
| 1) Diameter <u>5</u> inches | 2) Length <u>25</u> feet |
| 3) Type <u>steel</u> | |

Screen:

- | | |
|-------------------------------------|-------------------------|
| 1) Type <u>none</u> | 2) Length <u>#</u> feet |
| 3) Static water level <u>#</u> feet | |

Pump:

- | | |
|----------------------------------|--------------------------|
| 1) Make <u>not known</u> | 2) Model <u>#</u> |
| 3) Size <u>#</u> | 4) Capacity <u>#</u> GPM |
| 5) Horsepower rating <u>#</u> hp | |

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 not applicable

- Water used at a 45 camp pads and a bath house. Well feeds a pressure tank. Sherri Nelson did not have any knowledge about the well pump. A separate well is used for their house (domestic use).

Permit No. 1946-2

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

On, September 10, 1997, I made a thorough examination of the water use system constructed for Lake Park Campground, c/o Scott and Sherri Nelson, 2850 Chapel Lane, Rapid City, SD 57702 holder of Permit No. 1946-2, bearing the priority of September 26, 1985 authorizing the diversion of 0.05 cu. ft. per second of alluvium (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:
a 25 foot deep alluvial well
- B. Works used to transport water to place of use:
pump
- C. Works used to apply water to beneficial use:
water used at 45 camp pads and a bath house

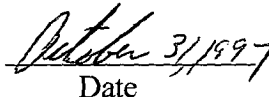
The system is in the following condition good. The point of diversion is located approximately 1746 feet north and 609 feet west of the SE Corner (NE1/4 SE1/4) Section 8, T1N, R7E. The works are capable of diverting and conveying to the place of use 0.05 cu. ft. per second of water for commercial use. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.05 cfs.

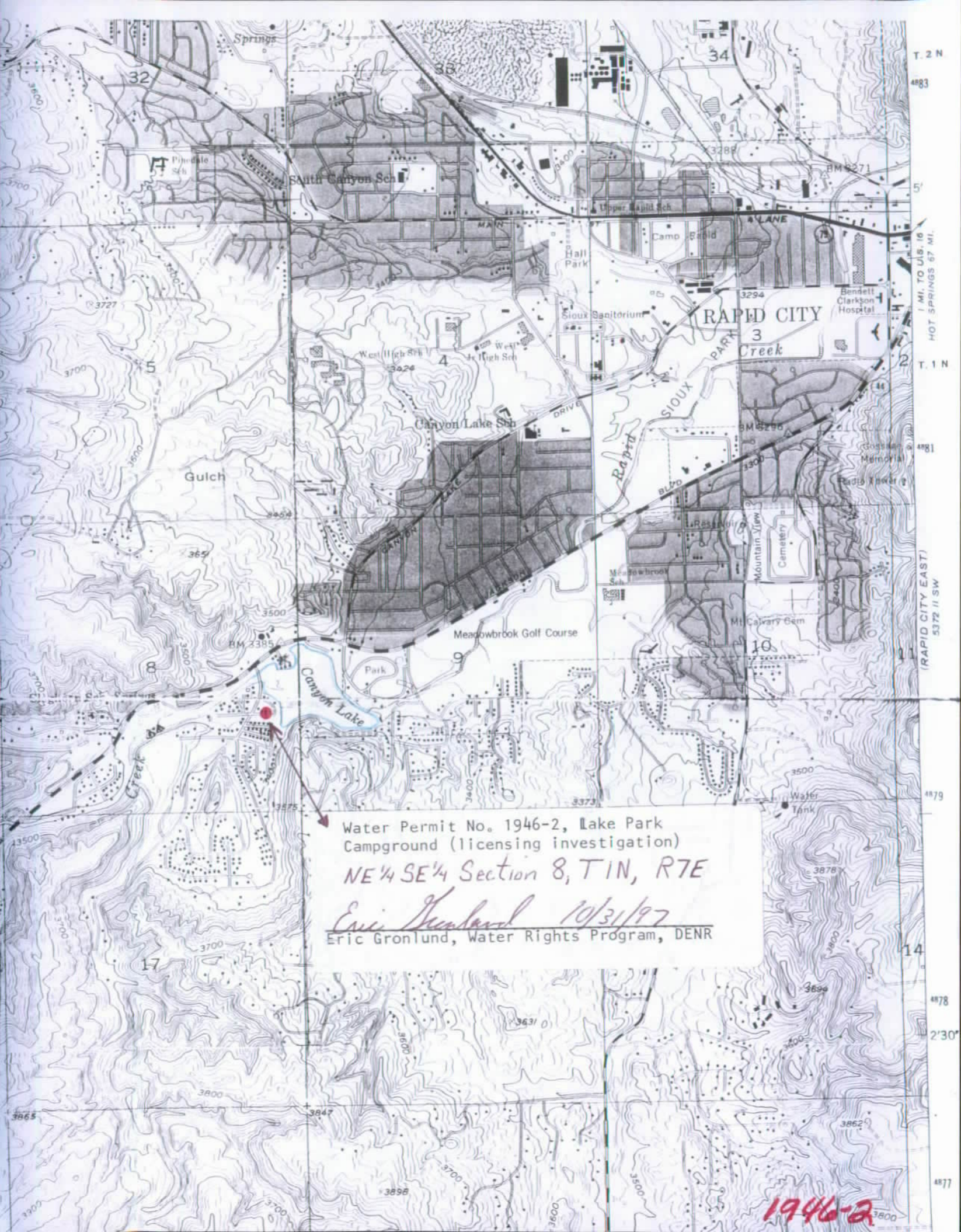
Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none



Eric S. Gronlund
Natural Resources Engineer
DENR, Water Rights Program


Date



Water Permit No. 1946-2, Lake Park
Campground (licensing investigation)

NE 1/4 SE 1/4 Section 8, T1N, R7E

Eric Gronlund 10/31/97
Eric Gronlund, Water Rights Program, DENR

1946-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 2, 1997

Lake Park Campground
c/o Scott and Sherri Nelson
2850 Chapel Lane
Rapid City SD 57702

Dear Mr. & Mrs. Nelson:

The investigation of your water use system was conducted on September 10, 1997 by Eric Gronlund, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1946-2. 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.

Also, enclosed is a partially completed *Notice of Transfer* form for Water Permit No. 1946-2. Our records indicate the owner as Dennis Dvoracek. This form should be checked over for accuracy and signed by you in the presence of notary public. Statutes require that we charge \$2.50 for the *Notice of Transfer*.

Upon completion, return the form to our office with the required filing fees totaling \$52.50. If you have questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

Check # 2740

enclosure

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 1946-2

Date: 12/9/97

I/We request that Water Permit No. 1946-2

formerly owned by: Lake Park Campground, Dennis Dvoracek

be transferred to: (name & address) Lake Park Campground, c/o Scott and Sherri Nelson, 2850 Chapel Lane, Rapid City SD 57702

Telephone No. 605-341-5320

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

1 well - NE 1/4 SE 1/4 Section 8-T1N-R7E

I/We understand that the validity of Water Permit No. 1946-2 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.

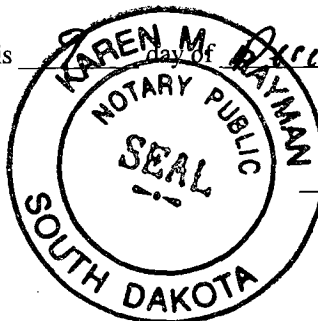
STATE OF SOUTH DAKOTA)

County of Pennington)

I/We Scott Nelson 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.

[Signature]
(Signed)

Subscribed and sworn to before me this 9 day of December, 19 97.



Karen M. Rayman
(Notary Public) /50

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

415559

Pierre, December 10, 1997

RECEIVED OF Dake Park Campground, 2850 Chapel Lane, Rapid, 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 _____

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 Waer Permit, No. 1946-2

Fee for Filing Extension Request _____

* Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By _____
Chief Engineer

John M. Hatcher (C)

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

415560

Pierre, December 10, 19 97

RECEIVED OF Lake Park Campground, 2850 Chapel Lane, Rapid 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 _____

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. 1986-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By _____
Chief Engineer

John Hatch of



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 07 1998

1946-2

Lake Park Campground
%Scott and Sherri Nelson
2850 Chapel Lane
Rapid City, SD 57702

Dear Mr. And Ms. Nelson:

Enclosed is Water License No. 1946-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 415559 and 415560 in the amounts of \$2.50 and \$50.00 which you paid for the transfer, 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. 1946-2, 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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1946-2

(1) Dennis Dvoracek, dba Lake Park Campground made Application No. 1946-2, June 28, 1985 for a water permit to divert 0.05 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for commercial use purposes. Permit No. 1946-2, with a priority date of September 26, 1985 was approved December 4, 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 December 10, 1997, Water Permit No. 1946-2 was transferred to Lake Park Campground, c/o Scott and Sherri Nelson.

(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 0.05 cubic feet of water per second for beneficial use. The location of the diversion point is 1,746 feet north and 609 feet west of the southeast corner of Section 8-T1N-R7E (NE 1/4 SE 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 Lake Park Campground, c/o Scott and Sherri Nelson, 2850 Chapel Lane, Rapid City SD 57702 the holders and/or owners of Water Permit No. 1946-2 are issued a license to appropriate water, the right to use 0.05 cubic feet of water per second from groundwater (one well) with a priority date of September 26, 1985 from the location specified in (2) of this license for commercial use. This license is subject to any limitations or qualifications listed in Water Permit No. 1946-2 and subject to South Dakota State Law.



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

JAN 07 1998

date

