

Considered: f

WATER PERMIT NO. 2035-2

HAP No. same

Name of Applicant Satellite Cable Services, Inc.

Post Office Address Box 295, Hill City SD 57745 574-2525

Amount of Water Claimed 0.13 cfs Total Acres NA

Source of Water Supply 5 wells (1 well authorized by 1123-2)

Water to be used for Commercial use KOA campground County Pennington

About 2 miles of Hill City

PROOF OF PUBLICATION: Received Not Received

APPLICATION: Approved Subject to

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

PRIORITY Date Received August 28, 1987 Fee 150.00 Remarks

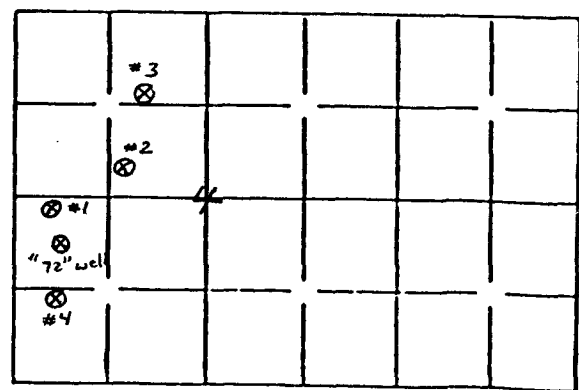
Corrected Application Received Period of Annual Use Jan 1 - Dec 31

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

WI-1 Description same as Application YES NO REMARKS

Diversion Point well #2 & 3: E 1/2 NW 1/4; well #1, 4 & "1972" well: W 1/2 SW 1/4; all in section 4 - T2S - R5E

Land to be Irrigated NA



Well Log: Driller Alexander & Hamm Licensed YES ✓ NO

Depth of Wells 340, 205, 160 & unknown⁽²⁾ REMARKS

Type of Map plat PREPARED BY Charles Piper Reviewed and the Number assigned on October 6, 1987 By Ron Duwall

No. 2035-2 Hydrologic Unit 10120109
 Map No. same Basin Upper Cheyenne R
 Newspaper Pennington County Prevalier, Box 266 (Hill City)

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. _____

- Name of Applicant Satellite Cable Services, Inc. Phone No. 574-2525
 Post Office Address Box 295, Hill City, SD 57745 State _____ Zip Code 58
(Street, RR or Box) (City)
- Amount of water claimed 9 p.m. 1967(8) + 1970(15) + 1980(15) + 1987(10) = 48 g.p.m.
(City) 5 0.13 cfs
- Source of water supply ground water - 5 wells
- Location of point of diversion Well Nos. 2 & 3: E $\frac{1}{2}$ NW $\frac{1}{4}$; well Nos. 1, 4 & "1972" well: W $\frac{1}{2}$ SW $\frac{1}{4}$
all in Section 4-T2S-R5E
 _____ County Pennington
- Counties where water will be used Pennington
- Annual period during which water is to be used January 1 - December 31
- 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)
This application is for 4 wells to appropriate 48 gpm plus increase the pumping capacity of a well authorized by Permit No. 1123-2 from 20 gpm to 30 gpm. The total diversion rate authorized by this application is 58 gpm (0.13 cfs)

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, J. ALAN JOHNSON, V.P. SATELLITE CABLE SERVICES, INC. the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed J. Alan JohnsonSubscribed and sworn to before me this 27 day of August 1987

Shari Bessire
 Notary Public

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 2035-2

Satellite Cable Services, Inc. Box 295
(Applicant) (Street, RR, or Box)

Hill City SD 57745 With the following qualifications.
(City) (State) (Zip Code)

1. The wells 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 August 28, 1987.

Date of return to applicant for correction, amendments or changes required _____, 19____.

Date of receipt of corrected application _____, 19____. Approved December 2, 1987.

The Water Management Board approved this Water Permit No. 2035-2 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 August 28, 1987.
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 for 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 by the
Mt. Rushmore KOA campground
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 granted shall not exceed 0.13 cubic feet per second; neither shall it exceed the amount of water needed for the beneficial uses served and to which water is actually and beneficially applied for commercial use ~~on or before~~ _____, 19____. The water is to be used during the following described annual period: Jan 1 - Dec 31

WATER MANAGEMENT BOARD

By: John H. Hatcher
Chief Engineer

Division of Water Rights
 Dept. of Water and Natural Resources

FEB 9 1988, 19____

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 6 in Depth #1-340, #4-205, 1972 well-160, #2&3-unknown
- b) Casing Type all steel Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) 8-13 feet
- g) Distance to nearest existing domestic well:
- On applicants property 660 feet On property owned by others 1800 feet

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) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

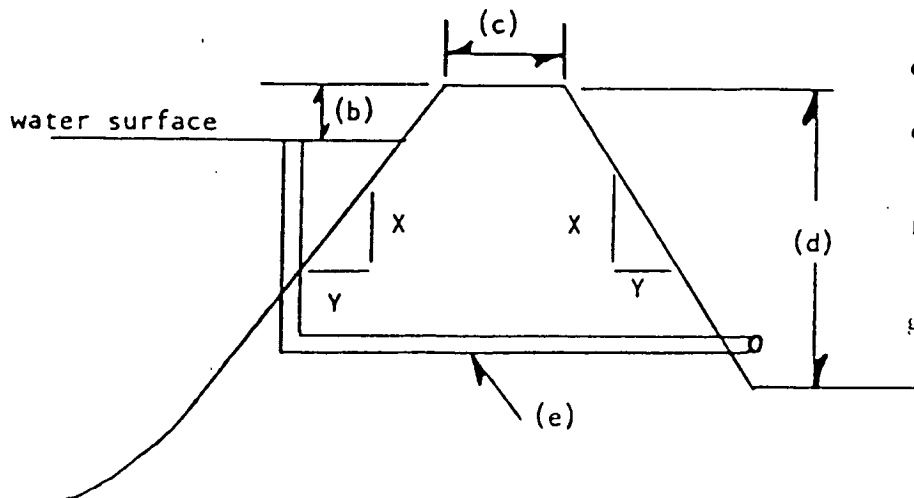
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

PENNINGTON COURT

SOUTH DAKOTA

PLACES

SEC LINE

$$\frac{5.89 \times 10^8 \text{ (kg)}}{58.1 \text{ (kg)}}$$

Figure 1

EXISTING
ACCESS ROAD

TRACT--38
(RECORDED)

TRACT

HOME

A C * T
SWEET

HOME

TRACT 2
OF
TRACT 39
(2000) 55

Existing Access

$\frac{1}{2} \times 0.56 = 0.28$

SW $\frac{1}{4}$

5-4

Future Aspects

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410974

Pierre, August 31, 19 87

RECEIVED OF Satellite Cable Services, Inc., PO Box 295, Hill City, SD 57745

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

Fee for Application for Permit No. <u>2035-2</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150	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	- 150 00

By

John Hatch
Chief Engineer

JOHN HATCH

(ms)



Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

February 11, 1983

Al Johnson
Palmer Gulch Lodge
Mount Rushmore KOA
Box 295
Hill City SD 57745

Dear Mr. Johnson:

Enclosed per your request please find the driller's report for the well drilled in 1980. No logs were found for the wells drilled in 1967 and 1970.

Sincerely,

A handwritten signature in cursive script, reading "Genny Young". The signature is written in dark ink and is positioned above the printed name and title.

GENNY YOUNG
Water Right Specialist

GY:ks

enclosure

**SOUTH Dakota Department of
Water & Natural Resources**

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

August 13, 1987

Mt. Rushmore KOA
Hill City SD 57745

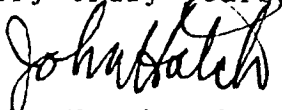
Dear Sir:

A well drillers report filed with this office by Alexander Drilling Co. indicates you have recently completed a new well. The well driller is required by South Dakota Compiled Laws (SDCL 46-6-11) to file a well construction report within 30 days of completion. The purpose of this letter and the enclosed "Summary of South Dakota Water Law and Water Rights Information" are to provide general information and to inform you, the well owner, of the responsibilities you have incurred.

1. If your new well was drilled as a replacement well and if you do not plan to use the old well, the old well is considered abandoned and must be plugged pursuant to SDCL 46-6-27. Other abandoned wells must also be plugged.
2. If the old well is not to be abandoned, or will be used, the well must still be sealed or capped at the surface pursuant to SDCL 46-6-27.

Please feel free to contact us if you have questions, need information or water permit application forms.

Very truly yours,



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

cc: Well Driller

Enclosure

S514.wr

SOUTH Dakota Department of
Water & Natural Resources

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

August 24, 1987

Al Johnson
Mt. Rushmore KOA
Box 295
Hill City, South Dakota 57745

Dear Mr. Johnson:

This letter is in response to our phone conversation on August 21, 1987 regarding water rights for the KOA Campground. Enclosed is a partially completed application for the 4 wells constructed in 1967, 1970, 1980 and 1987 that are not covered by Water right No. 1123-2.

Complete the application form according to the instruction sheet and return with the application fee and copies of any available well logs. Mark the location of each well on the enclosed map with the corresponding construction date and sign the map according to the instruction sheet. The amount of water claimed (No. 2) should be the actual pumping capacity for each well in gallons per minute.

Please contact us if you have any questions.

Sincerely,



Ron Duvall
Natural Resources Engineer

RD:ms
Enc.



PHONE (605) 574-2525

BOX 295

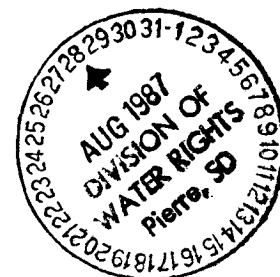
Hill City/Mt. Rushmore KOA

Franchisee of Kampgrounds of America, Inc.

HILL CITY, SOUTH DAKOTA 57745

August 25, 1987

Mr. Ron Duvall
Natural Resources Engineer
Department of Water and Natural Resources
Pierre, SD 57501



Dear Mr. Duvall,

Thank you for sending me the proper application forms for a Permit to Appropriate Water. I have filled out the forms to the best of my ability. I am enclosing the forms, a check for \$150, a map of the survey of three of the four wells with my own location of the fourth well, and driller's logs for the 1980 and 1987 wells. I could find no information about the 1967 and 1970 wells. I am also enclosing a log of the improvements to our 1972 well that is covered by Permit #1123-2. The well now pumps 30 gpm as opposed to the 20 gpm it formerly pumped at the time the permit was issued. Please let me know what I need to do to bring our existing permit up to date. Thank you very much for all of your helpfulness.

Yours truly,

Al Johnson, V.P.
Satellite Cable Services, Inc.

KOA Copy #1
07-92

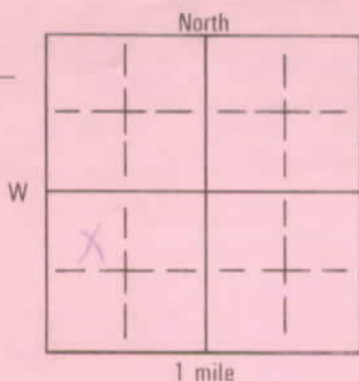
Date:

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location 1/4 Sec 4 Twp 25 Rg 54County Pennington

Please mark well location with an "X"

Well Completion Date 7-27-87

PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Downhole Hammer

CASING DATA:

☒ Steel ☐ Plastic ☐ OtherIf other describe 6" in Place

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUT:

Was the well grouted? ☐ YES ☐ NO

To what depth? _____ FEET

What is grouting material? _____

If cement, number of sacks? _____

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name Rushmore K O AAddress Hwy 240 - Hill City, S.D.Well Log: _____ Depth 57745

Formation	From	To
Original Well		100ft
well produces - 12 gpm H ₂ O		
Schist Hd. grey	100	105
Schist Fractured	105	106
H ₂ O - 15 gpm		
Schist Hd. grey	106	127
Quartz Fractured	127	130
H ₂ O - 20 gpm	130	130
Schist Hd. grey	130	140
Schist w/ garnets	140	145
H ₂ O - 30 gpm		
Schist Hd. grey	145	160

STATIC WATER LEVEL 13 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped w/AIR 30 gpm☐ Bailed Describe: _____☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

Deepened well originally drilled in early 1970's. 100ft Deep - 12 gpm H₂O. 0-100ft - 6" Hole - 100ft to 160ft - 5" hole. To get past Mortenson Pithless unit. (30 gpm) Reset pump 1 HP. A/Mc Donald @ 152'

This well was drilled under license # 324

And this report is true and accurate.

Drilling firm Alexander Drilling Co.

Signature of License Representative:

Ry Anderson

Signature of Well Owner:

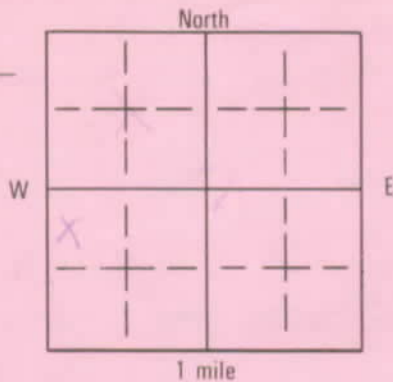
Date _____

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location 100 1/4 Sec 4 Twp 25 Rg 5ECounty Yankton

Please mark well location with an "X"

Well Completion Date 5-28-87

PROPOSED USE:

- ☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Downhole Hammer

CASING DATA:

- ☒ Steel ☐ Plastic ☐ Other

If other describe 30' of 250 wall

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? Type III grout 20 FEETWhat is grouting material? Type III PortlandIf cement, number of sacks? 4 bagsDescribe grouting procedure framing pipeWhat was grout weight? 111.15 LB/GALSCREEN: ☐ Perforated pipe ☐ ManufacturedDiameter IN Length FEETMaterial Slot Size Set From Feet To FeetSlot Size Set From Feet To FeetSlot Size Set From Feet To FeetOther information Was a packer or seal used? ☐ YES ☒ NOIf so, what material? 2000# casing joint -Describe packer(s) and location? Hard RockWas well disinfected upon completion? ☒ YES ☐ NOExplain Bacteriological analysis ☐ YES ☐ NOLaboratory sent to

Well Owner:

Name Bushmore KOAAddress Hill City, S.D. 57245

Well Log:

Depth

Formation

From

To

DRIFT (top soils, etc)	0	20
Schist med to Hd.	20	40
Schist Fracture layer	40	41
Schist Hd. gray	41	80
Schist Fractured - H ₂ O	80	82
Schist Hd. gray	82	175
Schist Fractured	175	176
water-10gpm		
Schist Hd. gray	176	205

STATIC WATER LEVEL 11.0 FeetIf flowing: closed in pressure PSIGPM flow through inch pipeControlled by ☐ Valve ☐ Reducers ☐ OtherIf other; specify Can well be completely shut in?

WELL TEST DATA:

☒ Pumped w/AIR 10 gpm☐ Bailed Describe: ☐ Other

Pumping Level Below Land Surface

 ft. After Hrs. pumped GPM ft. After Hrs. pumped GPM ft. After Hrs. pumped GPM

REMARKS:

3P2-18 3wire = 1 H.P. 6x4x12This well was drilled under license # 324

And this report is true and accurate.

Drilling firm Alexander Delp Co.

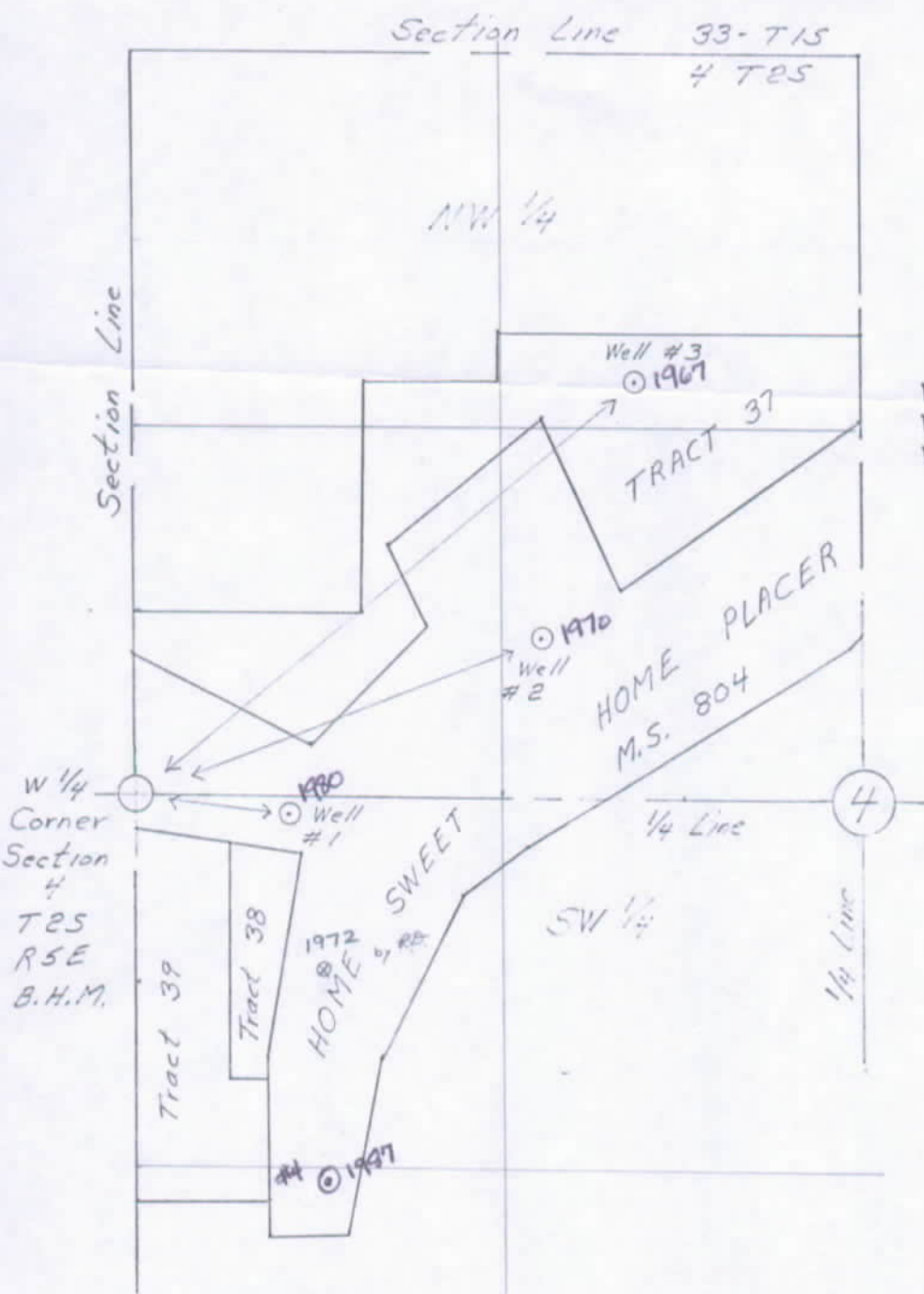
Signature of License Representative:

Ray Alexander Jr.

Signature of Well Owner:

RobertsonDate 6/1/87

MAP OF SURVEY OF WELL LOCATIONS IN TRACT 37 AND
HOME SWEET HOME PLACER, M.S. 804, IN W $\frac{1}{2}$,
SECTION 4, T2S, R5E, B.H.M., PENNINGTON CO., SD



Scale: 1" = 660'

Bearing and Distance From W $\frac{1}{4}$
Corner, Section 4 to Wells
and Ground Elevation at Wells:

Well 1: S 82 19' 16" E - 554.2'
Well 2: N 69 36' 20" E - 1569.7'
Well 3: N 51 57' 11" E - 2360.1'

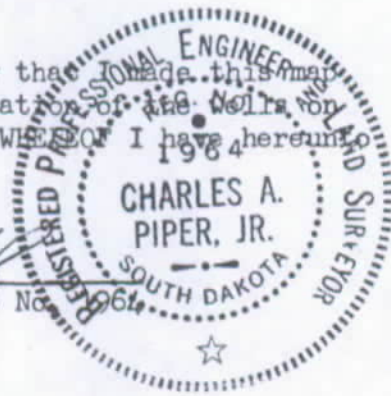
Ground Elevation

Well 1: 4967'
Well 2: 4949'
Well 3: 5003'

SURVEYOR'S CERTIFICATE

I, Charles A. Piper, Jr., Registered Land Surveyor, do hereby certify that I made this map based on an actual survey and that it correctly represents the location of the wells on the within described lands as requested by the owners. IN WITNESS WHEREOF I have hereunto set my hand and seal this 1st day of November 1982.

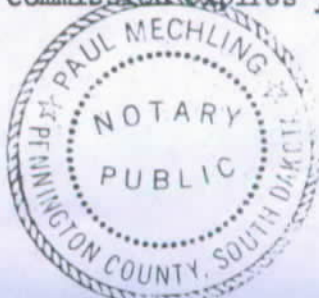
Registered Land Surveyor SD No. 1961



STATE OF SOUTH DAKOTA SS
COUNTY OF PENNINGTON

On this 1st day of November 1982, before me, a Notary Public, personally appeared Charles A. Piper, Jr., known to me to be the person described in and who executed the foregoing certificate. IN WITNESS WHEREOF I have hereunto set my hand and official seal.

my commission expires Feb. 13, 1982



Paul Mechling
Notary Public

Appl. No. 2035-2

WELL DRILLERS REPORT

SOUTH DAKOTA WATER RIGHTS COMMISSION

4-78

Well Owner:
Name Hall's Pumphouse KOA
Address Pickup Hatch
Liberty

Well Location: North

Mark location with an "X"

1 mile

County Penn
NE 1/4 NE 1/4 SW 1/4 Sec. 4 Twp. 25 Rg. 5E

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

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

Well Construction:
Diameter of Hole 6
Depth 45
Casing ☐ Steel ☐ Concrete
☒ Plastic ☐ Other
If other, specify _____

Was casing end left open yes
Was a well screen installed no
Describe Well Screen
Diameter _____ Material _____
Slot size _____
Was well gravel packed _____
Was well grouted yes
Was water sample taken no

Remarks:

some water at 50ft 30PM
small ants all a long
Pickup about 10 gal @ 30

Water Level Information:
Static water level 8 below land surface
if flowing closed in pressure _____ PSI
rate of flow _____ GPM
Controlled by:
☐ Valve ☐ Reducers ☐ Other
if other, specify _____

Well Test Data:

☒ Pumped
☐ Bailed Describe: _____
☐ Other _____
Pumping Level Below Land Surface
_____ ft. After 3 hrs. pumped 15 GPM
" " " " " "
" " " " " "

Well Log:

Formation	Depth	
	From	To
Top soil	0	3
Micro schist	3	50
" "	50	100
" "	100	200
" "	200	300
" "	300	340

(Use Back if Necessary)

Date Completed: 7/10/80

Driller: Hammer Drilling 171
Driller's or Firm's Name License NO.

Will City, S. Dak
Address

Gene Hammer 10/1/80
Signed By Date

Report on Permit Application No. 2035-2
Satellite Cable Services, Inc.
October 14, 1987

Permit Application No. 2035-2 proposes to appropriate a total of 0.13 cubic feet of water per second from 5 wells approximately 160 to 340 feet deep, located in the E 1/2 NW 1/4 and the W 1/2 SW 1/4 Section 4, T2S, R5E. The 0.13 cubic feet of water per second (cfs) appropriation proposed by this application includes a 0.022 cfs increase in the diversion rate, and an increase of the well depth from 100 feet to 160 feet for a well authorized by Permit No. 1123-2. Water Right No. 1123-2 currently authorizes an appropriation of 0.045 cfs from one of the five wells. The water is to be used for commercial purposes by the Mt. Rushmore KOA Campground.

Aquifer : Precambrian Rock

Geology and Aquifer Characteristics

The applicant's wells are located in the precambrian rock which consists primarily of sedimentary rocks altered by deformation and metamorphism. This area is approximately one mile north of the main body of the Harney Peak Granite, and the rock reflects the high temperature prevailing before and during the emplacement of the intrusive. The precambrian rock in the proximity of the applicant's wells have a medium grained texture and have been mapped as arkosic grit, quartzitic schist, quartzite and graywacke (Darton, 1925). These metamorphosed rocks are distinguished by low porosity, and transmit water to wells along joints, faults, and fractures. The total porosity of the precambrian rock is estimated to be 3% and the effective porosity, containing recoverable water is assumed to be 1% (Rahn, 1979).

Recharge to the precambrian rock is through infiltration of precipitation falling directly on the outcrop, and possibly streamflow from Palmer Creek and its tributaries. Average annual recharge estimates are not available for the precambrian rock in this area.

The importance of the precambrian rock as an aquifer is largely due to zones of secondary porosity and permeability, in the form of fractures and fissures. The distribution, orientation and interconnection of these fractures are unpredictable, and the aquifer characteristics are site specific and highly variable. Well completion reports on file with the Division of Water Rights indicate well yields from domestic wells in the area range from 2 to 5 gpm.

The Division of Water Rights does not monitor any observation wells in this area and there is no historical data (water levels) available.

Review of Existing Water Rights

There is one existing permit within approximately 2 1/2 miles of the applicant's well, it is:

<u>Permit #</u>	<u>Owner</u>	<u>Location</u>	<u>Source</u>	<u>Diversion</u>
1123-2	Palmer Gulch Development Co.	NWSW Sec.4 T2S R5E	101' well	0.045 cfs

The Division of Water rights has record of several domestic wells in the area. The depths of these wells vary from 50 to 370 feet deep and rely on the precambrian rock as a water source.

Conclusions

1. The precambrian rock is a viable aquifer in this area, and groundwater is available for appropriation.
2. The proposed appropriation (0.13 cfs) should have no adverse effect on domestic users or existing appropriative rights.
3. Estimates are not available for average annual recharge in the area.
4. The wells to be used to supply this permit have been constructed.



Kent Buhler
Natural Resources Engineer

REFERENCES

- Darton, N.H., Paige, S., 1925, Geologic Atlas of the United States, Central Black Hills Folio, South Dakota USGS, Folio No. 219.
- Redden, J.A., 1975, Precambrian Geology of the Black Hills, SDSM&T and USGS, Mineral and Water Resources of South Dakota, Committee on Interior and Insular Affairs, U.S. Senate, U.S. Government Printing Office, Washington, D.C.
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, U.S. Army Corps of Engineers, SDSM&T Project #2533, Rapid City, SD.
- Division of Water Rights, 1987, Domestic Well and Water Permit Files, DWNr, Division of Water Rights, Joe Foss Building, Pierre, SD

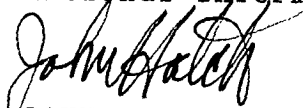
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2035-2, Satellite Cable Services, Inc.

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. 2035-2, Satellite Cable Service, Inc., Box 295, Hill City SD.

The Chief Engineer is recommending APPROVAL of Application No. 2035-2 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 qualification:

The wells 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.



JOHN HATCH, Chief Engineer
October 20, 1987



Department of Water & Natural Resources

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

Water Rights Division
(605) 773-3352

October 26, 1987

NOTE:

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

Satellite Cable Services, Inc.
Box 295
Hill City, South Dakota 57745

Dear Sir:

Your Application No. 2035-2 for a permit to appropriate water for
commercial use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Pennington County Prevailler printed at Hill City

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT.
Early contact with the paper can eliminate delays. The publisher has been
instructed to publish your notice once each week for two consecutive weeks
with the last publication to occur at least twenty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVAL
Natural Resources Engineer

enclosures



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol

Pierre, South Dakota 57501-3181

October 26, 1987

Pennington County Prevalier
Box 266
Hill City, South Dakota 57745

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 2035-2. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on or before November 5, 1987.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Satellite Cable Services, Inc., Box 295, Hill City, South Dakota 57745.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE
No. _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

No. 2035-2

Instruction to Newspaper - Publish first publication of the following Notice on or before November 5, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2035-2 to Appropriate Water
and/or to Amend Water Permit or Water Right No. _____

Notice is hereby given that Satellite Cable Services, Inc. whose mailing address is Box 295, Hill City, South Dakota has made an application for a permit

to appropriate a total of 0.13 cubic feet of water per second (cfs) from 5 wells (Pre Cambrian Rock) approximately 160 to 340 feet deep located in the E1/4, W1/4, Section 4-T2S-R5E. Water Right No. 1123-2 authorizes a water appropriation of 0.045 cfs from one of the five wells. The 0.13 cfs appropriation authorized by this application includes a 0.022 cfs increase in pumping capacity from the well authorized by No. 1123-3 and allows a well depth increase from 100 to 160 feet. Water is used for commercial purposes by the Mt. Rushmore KOA Campground.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 2035-2 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, Roosevelt & Jefferson rooms, 2211 LaCrosse, Rapid City SD, Dec. 2 19 87 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 20, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons 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 46-5-30.4, 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 20, 1987.

STATE OF SOUTH DAKOTA)
) ss.
County _____)

Application To

... given that ... Services, Inc. ... address is Box ... South Dakota has ... application for a permit ... a total of 0.13 cu ... water per second (cfs) ... wells ... Cambrian ... 160 to 340 ... the E1/2 ... Section 4 ... Water Right No. ... authorizes a water appro- ... 0.043 cfs from one of ... wells. The 0.13 cfs ap- ... is authorized by this ap- ... includes a 0.022 cfs in- ... pumping capacity from ... authorized by No. 1123- ... a well depth in- ... 100 to 160 feet. Wa- ... for commercial pur- ... Rushmore KOA ... SDCL 46-2A-2 ... of the Water ... recommends AP- ... Application No. ... 1) unap- ... available, 2) will ... impairment of ... is beneficial ... in the pub- ... application will be ... by the Water Manage- ... Board at Howard Johnson, ... & Jefferson towns, ... Moose, Rapid City, SD ... at 10:00 am ... commendation of the ... engineer is not final or ... upon the Board and the ... is authorized to 1) ap- ... approve with qualifica- ... defer, or 4) deny this ... after it reaches a con- ... upon facts present ... public hearing. Any in- ... person who may be af- ... Board decision and ... intends to participate in the ... before the Board and ... evidence or cross-ex- ... witnesses according to SD ... must file a written peti- ... with BOTH the applicant



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

2035-2

FEB 9 1988

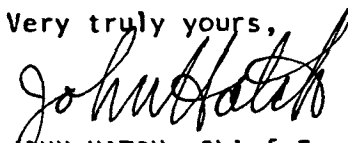
Satellite Cable Services, Inc.
Box 295
Hill City, South Dakota 57745

Dear Sir:

Enclosed is your Water Permit No. 2035-2 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,


JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

Name
NOTICE OF TRANSFER OF ~~OWNERSHIP~~

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

No. 2035-2

Date: 1-10-2

I/We request that Water Permit No. 2035-2

formerly owned by: Satellite Cable Services, Inc.

be transferred to: (name & address) Recreation Adventures Co.

Box 295, Hill City SD 57745

Telephone No. 605-574-2525

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

3 wells - NW 1/4 SW 1/4 and SE 1/4 NW 1/4 Section 4-T2S-R5E

I/We understand that the validity of Water Permit No. 2035-2 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).

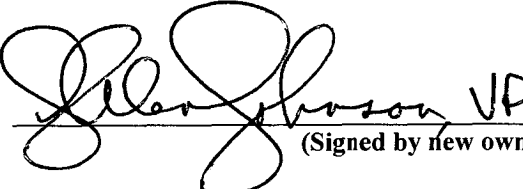
You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Pennington)

I/We J. ALAN JOHANSON 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.


(Signed by new owner)

Subscribed and sworn to before me this 1st day of JANUARY, 20 02

Cynthia A. Waly, now Cynthia A. Mayes
(Notary Public)
Commission Expires: 9-26-07

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

NO 417049

Pierre, January 16, 20 02

RECEIVED OF Recreational Adventures Co., Box 295, Hill City, SD 57745

the following amount in fees for services rendered as provided for by law: (Satellite Cable Services, Inc.)

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 2035-2

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Darland Erbe

Chief Engineer

gm