

Considered: _____

WATER PERMIT NO. VR 2159-2

Phone: 605 574-2702

Name of Applicant: Three Forks Campground

Post Office Address: HC 87, Box 70, Hill City SD 57745

Amount of Water Claimed: 0.07 cfs Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial use County: Pennington

About 3 miles NE of Hill City

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 1-18-91 Fee: \$15.00 Remarks claimed

priority date of 1945

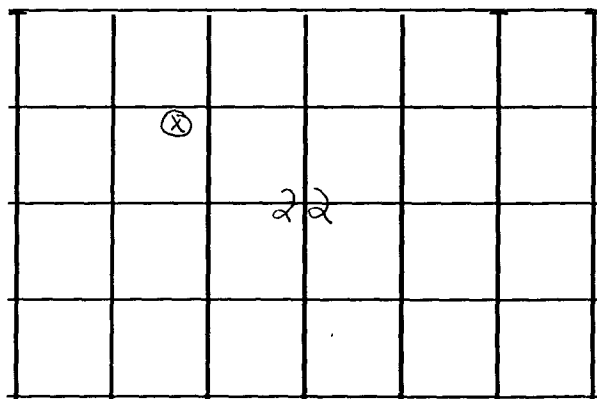
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: SW 1/4 NW 1/4 22-1S-5E

Land to be Irrigated: _____



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 130' REMARKS no log available

Type of Map: topo PREPARED BY: Regan Fanning Reviewed and the Number

Assigned on 1-22-91 By Karen Schlaak

No. 2159-2 Hydrologic Unit 10120109
 Map No. _____ Basin Upper Cheyenne
 Newspaper Pennington Co. Prevalier News

523 E. Capitol
 Pierre, SD 57501
 (605) 773-3352

Box 266, Hill City, SD (Thurs)

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 Three Forks Campground Phone No. (605)-574-2702

Post Office Address HC 87 Box 70 Hill City State SD 57745
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s) 0.07 cfs3. Source of water supply 1 well4. Location of point of diversion SW1/4 NW1/4 section 22- T1S-R5ECounty Pennington5. Counties where water will be used Pennington6. Annual period during which water is to be used January 1 - December 31

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)

1 well supplies the campground with 55 water/electric hookups, a laundry facility and one shower house. Also supplies water for domestic use in owner's home.

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, NEAL HODGES/3 Forks Campground 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.

Colleen Fischer, Notary Public
 Pennington County, South Dakota
 My Commission Expires August 17, 1996

Signed Neal HodgesSubscribed and sworn to before me this 26th day of December 1990

Colleen Fischer
 Notary Public

SOUTH DAKOTA

VESTED WATER RIGHT NO. 2159-2

Date of Receipt of Claim June 21, 1985.

Date of Validation May 1, 1991.

The Chief Engineer, on behalf of the Water Management Board validated Vested Water Right Claim No. 2159-2 for Three Forks Campground, HC 87, Box 70, Hill City SD 57745 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 2159-2 appropriates 0.07 cubic feet of water per second from one well (Precambrian Rock) 130 feet deep located in the SW 1/4 NW 1/4 Section 22-T1S-R5E.
2. The appropriated water is used for supplying water to the campground and may not exceed the amount of water needed for beneficial use for commercial purposes.
3. The water is to be used during the following annual period: January 1 - December 31.
4. The priority date of the Vested Water Right is: January 1, 1945.
5. The water use system has been constructed and water has been applied to beneficial use.
6. Water Rights obtained in compliance with the laws of the State of South Dakota must not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

Chief Engineer, Water Right Division
Department of Environment and Natural Resources

JUL 15 1991

date

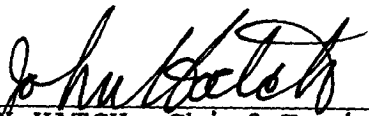
STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 2159-2

(1) Three Forks Campground of HC 87 Box 70, Hill City, SD 57745 made Application No. 2159-2, June 21, 1985 for validation of a vested right claim to appropriate 0.07 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for commercial purposes. Vested Water Right No. 2159-2 was validated May 1, 1991 with a priority date of January 1, 1945. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

(2) The applicant is entitled to divert 0.07 cubic feet of water per second for beneficial use. The location of the diversion point is in the SW 1/4 NW 1/4 Section 22, T1S, R5E.

(3) Pursuant to Section 46-5-30.1 Three Forks Campground of HC 87 Box 70, Hill City, SD 57745 the holder(s) and/or owner(s) of Vested Water Right No. 2159-2 is issued a license to appropriate 0.07 cubic feet of water per second from groundwater (one well) with a priority date of January 1, 1945 from the location specified in (2) of this license. The water is to be used for the purpose of commercial use. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 2159-2 and subject to South Dakota State Law.



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

JUL 15 1991

Supplemental Information

(type or print in ink)

no well log



1. Well Information - Proposed construction

- a) Drill Hole Diameter 6" Depth 130'
- b) Casing Type yes 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) 35'
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others 350 - 400'
(3-Forks Store)

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 _____

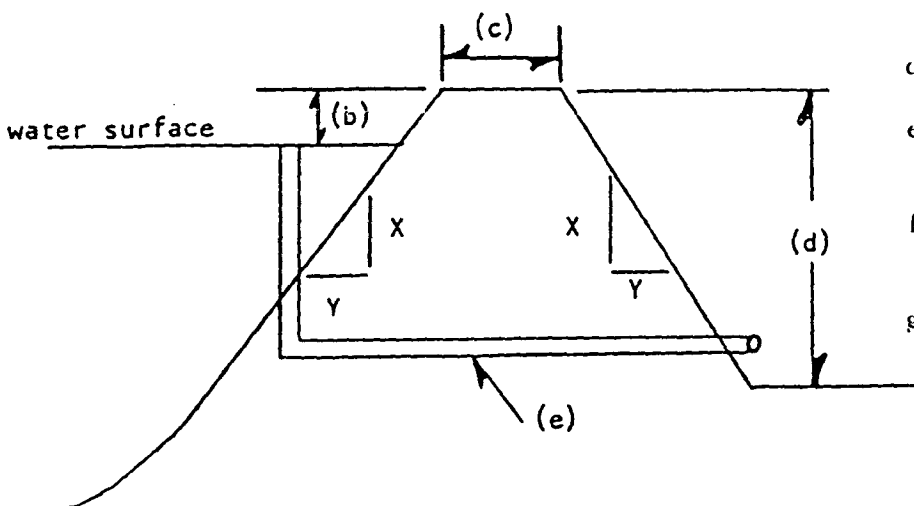
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

Affidavit of Water Use

No. _____

(Type or Print in Ink)

Note: This Form is supplemental to Form 2 and is to be used when an affidavit pertaining to construction and water use already constructed is needed, primarily with vested right claims.

**Affidavit Of Construction Of Water Use System
And Application Of Water To Beneficial Use**

Name of Applicant (Same as Form 2) Three Forks CampgroundPost Office Address HC 87 Box 70

(Street, RR or Box)

Hill City SD

(State)

(Zip Code)



A. Notice of Appropriation _____ Date of Posting _____

Date of recording _____ Recording date _____

Where

Book

Page

B. Date of start of construction of water supply system 19451945

C. Date that water was first applied to beneficial use _____

D. Name of owner of original water supply system George Keifer, deceasedE. Amount of water originally applied to beneficial use 30 gallons per minute (gpm)F. Present Use of Water - Amount of water now being used campground, 5 mobile home units, (domestic useDate that this water was first used 1945

G. Chronological History of Water Use

Well was drilled approximately in 1945. The owner was George Keifer, now deceased. It was originally used for 2 motel units and 3 houses. Since 1973, the well has provided water for a campground with 55 water/electric hookups, a shower house and a laundry facility. Also supplies water for owner's domestic uses in his home.

Attach to this Form 2B any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

State of South Dakota)

County of Pennington)^{SS}

I, NEAL HODGES / 3 FORKS CAMPGROUND the applicant, certify that I have read the foregoing
(print or type)
and that the matters therein stated are true.

Signed

Subscribed and sworn to before me

Colleen Fischer, Notary Public
Pennington County, South Dakota
My Commission Expires August 17, 1996

Notary Public or other qualified officer

I, the undersigned do hereby certify that I know about the water use system described above, that I have read the foregoing, and that the matters therein stated are true.

(Print name)

(Print name)

_____ Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Neil Hodges,
Three Forks Campground of HC 87 Box 70, Hill City SD holder of
Permit No. _____, bearing the priority of _____ 19____ authorizing
the diversion of 0.07 cu. ft. per second of the waters of ground water
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:

Submersible pump, 1.5 hp
30' from bottom of well

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

Water is pumped to 55
water/electric hookup units
laundry facility and shower
house.

C. Works used to apply water to beneficial use:

The system is in the following condition _____

The point of diversion is located SW 1/4 NW 1/4 Section 22 T1S-R5E

The works are capable of diverting and conveying to the place of use 0.07
cu. ft. per second of water which is to be used for Commercial use to supply campground

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

comprising a total of NA acres of land and the license should be issued for 0.07 cfs

Applicable permit qualifications have been complied with _____ Yes _____ No

Exceptions to compliance are: _____ Date Dec 13, 1990

[Signature]
(signature) for Regan Fanning

LICENSE FOR PERMIT NUMBER _____

1. Legal location of wells: SW 1/4 NW 1/4 section 22 - T1S-R5E

dams & structures: _____

2. Well Information: Well Drilling Firm no well log available
driller deceased

Completion Report Yes ✓ No ✓ No. of Wells 1 Depth 130'

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level _____

Pump a) make submersible Motor a) make _____

b) model _____ b) model No. _____

c) size _____ c) horsepower rating 1.5 hp

d) capacity _____ gpm

e) turbine pump - no. of stages _____

f) operating PSI _____

pump is 30' from
bottom of well

3. Distribution lines or canals

a) size _____

b) type _____

c) length _____

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of
sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) end gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) capacity (GPM) _____

g) siphons

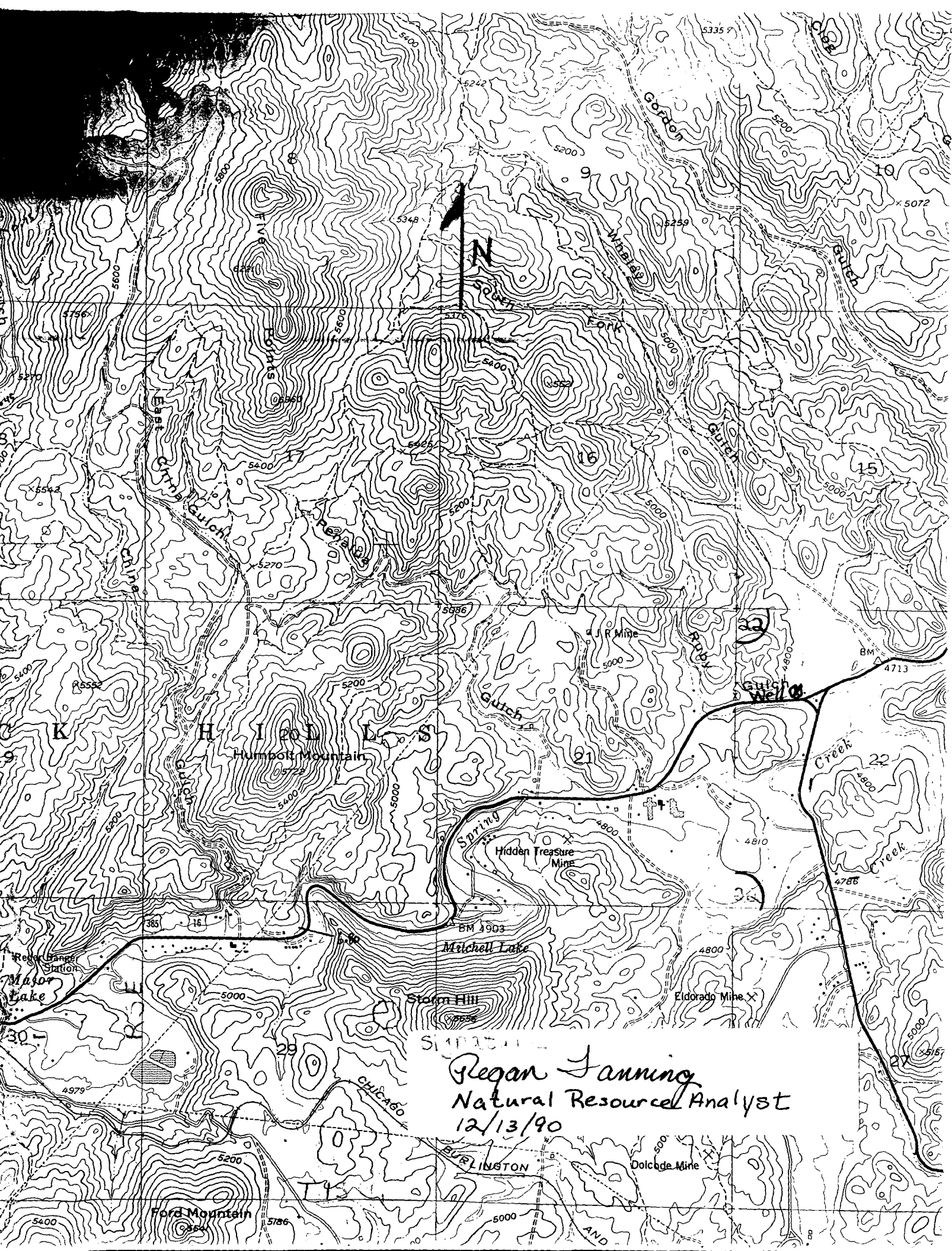
- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
---	---	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
---	---	2. Special qualifications to permit being abided by?
---	---	3. All structures, wells and lands on map?
---	---	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
---	---	5. Is chemigation used?
---	---	6. If yes, does equipment comply with chemigation rules?

REMARKS:



Pegan Tanning
Natural Resource Analyst
12/13/90

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

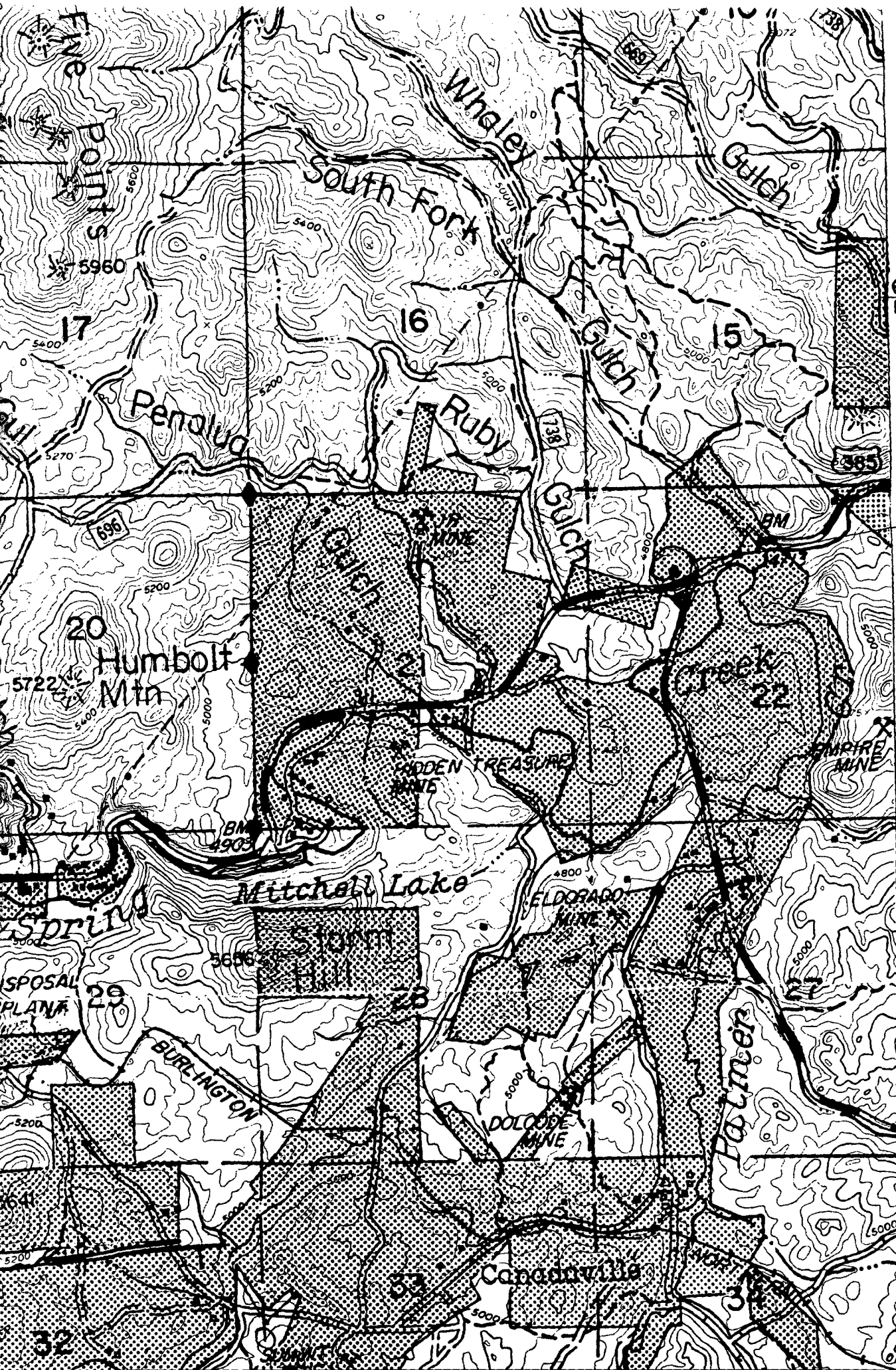
412494

Pierre, January 18, 1991

RECEIVED OF Neal H. Hodges (Three Fors Campground) BC 87 Box 70, Hill City SD 57745
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>2159-2</u> to Appropriate Water, to construct works and to put water to beneficial use _____	15	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	15 00

By John Hatch
Chief Engineer



610 000
FEET

T.
I.
S.

3 Forks Campground Well
Near 27 and 28 owners

55'

July 23, 1981

Three Forks Campground
c/o Neal Hodges Sr.
Hill City, South Dakota 57745

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

Three Forks 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

June 21, 1984

3-Forks Campground
St. Rt., Box 70
Hill City, South Dakota 57745

Dear Mr. Hodges:

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 3-Forks 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 cursive script that reads "Kevin C. Larson".

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

Enclosures

Equal Opportunity Employer

SOUTH Dakota Department of
Water & Natural Resources

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

April 25, 1985

NOTICE

3 - Forks Campground
St Rt, Box 70
Hill City, South Dakota 57745

Dear Mr. Hodges:

June 21, 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,



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

S519.WR

DEPT. OF WATER & NAT. RESOURCES
JOE FOSS BLDG,
523 E. CAPITOL
PIERRE, S.D. 57501-3181

30 APR 85

Please send me all forms required for water
permit.

Neal Hodges
S. R. Box 70
HILL CITY, S. D. 57745

3 Forks Campground
Star Rt. Box 70
Hill City, SD 57745

forms mailed 5/1/85



Water Rights Division
605 773-3352

June 25, 1985

Three Forks Campground
Neal Hodges
St Rt Box 70
Hill City SD 57745

Mr. Hodges:

Thank you for your water permit application. The filing fee schedule for water permit applications is:

up to 45 gallons per minute \$50.00
45 gallons per minute to 75 gpm \$150.00

Upon receipt of the filing fee we will continue processing your application. If you have any questions, please contact this office.

Thank you,

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

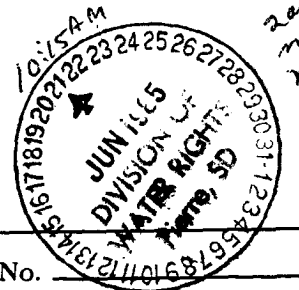
No. _____ Hydrologic Unit _____
 Map No. _____ Basin _____
 Newspaper _____

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 ☐ _____
☐ 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 NEAL H. HODGES Phone No. 574-2702
 Post Office Address STAR RT. BOX 70 HILL CITY State SD Zip Code 57745
(Street, RR or Box)
- Amount of water claimed (c.f.s) 120 ACRE FT. PER YR.
- Source of water supply WELL
- Location of point of diversion NE 1/4 NW 1/4, SEC 22, T15, R5E, B4M
MS 910 LOT B, COR# 9, 169'6", COR# 10, 73'4" WISCONSIN PLACER
 County PENNINGTON
- Counties where water will be used PENNINGTON
- Annual period during which water is to be used ALL YEAR

7. Give a brief description of ~~proposed~~ ^{EXISTING} 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)

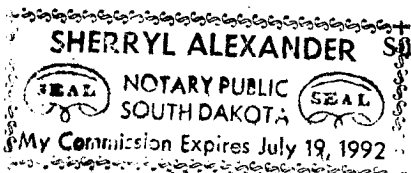
RV CAMPGROUND DURING SUMMER MONTHS AND SMALL
(5) MOBILE HOME PARK NEAR ROUND. THIS WELL WAS
DRILLED OVER 25 YEARS AGO. APPLICANT PURCHASED LAND WITH
WELL IN 1971 WITH UNDERSTANDING THAT WATER AND MINERAL
RIGHTS WERE INCLUDED.

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)^{ss}
 County of _____

I, Neal H. Hodges 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 proposed diversion.~~

Signed Neal Hodges
18th day of June 19 85
Sherryl Alexander
 Notary Public (or other qualified officer)



WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. _____

(Applicant)

(Post Office Address)

(State)

(Zip Code)

With the following qualifications.

Date of first receipt of application _____, 19____.

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

Date of receipt of corrected application _____, 19____. Approved _____, 19____.

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 _____, 19____.
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 _____

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 _____ 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 _____ on or before _____, 19____; said water to be used during the following described annual period: _____

WATER MANAGEMENT BOARD

By: _____
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

_____, 19____

WATER APPLICATION
FOR

- NEAL HODGES
- 3 FORKS CAMPGROUND

7. THE WELL AND WATER DISTRIBUTION SYSTEM AS WELL AS THE SEWAGE DISPOSAL SYSTEM WAS INSPECTED AND APPROVED BY S. D. HEALTH DEPT. IN 1973, AND HAS BEEN INSPECTED AND APPROVED ANNUALLY EVER SINCE.

Neal Hodges
owner

NA = nonapplicable

ID# 4600598

Survey taken by Steve Naylor (S.D.S.M. & T) Survey date 5-15-84

Is system active or inactive Active

If inactive, deactivation date NA

Deactivation reason NA

Location of NC PWS 22 mi. south of Rapid City on highway 16

Type of NC PWS (campground, motel, resort, etc.) campground

Name of NC PWS 3-Forks Campground

NC PWS mailing address Star Rt. Box 70, Hill City Telephone # 574-2145

Name of Operator/Manager Neal Hodges

Owner of NC PWS Neal Hodges

Owner's mailing address Star Rt. Box 70, Hill City

Type of owner: private (X) city () state () federal () other ()

County NC PWS located in PENNINGTON Seasonal operation dates 5/1 - 10/1

Number of people served: Average daily 25 Peak daily 225

Comments on type of people (transient vs. permanent) transient, campers

Water source (well, spring, lake, river, other) WELL

Source name unknown

Visual inspection of water source (comments) NA

Observation of owner/operator making a turbidity test (if source is a surface supply). (comments) NA

Surface Area Characteristics Located on hill side. Grass lawns and
graveled roads & campsites

South Dakota School of Mines and Technology
(Survey of Non-Community Water Supply)
Page 2

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

Well depth 127 ft.

Casing material Steel

Casing diameter 6 in Height casing top above ground Level with ground

Grouted unknown Grouted to what depth unknown

Date of well construction unknown , Neal Hodges purchased Campground in 1971

Distance to: Septic tank 275 ft Disposal field 275 (4) ft

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

No. It is located on a hillside and covered with a well house

Any known private sewage systems nearby No

Any known source of contamination YES . Past few years there have been high bacteria counts during month of July.

Pump:

Well pump type submersible Capacity unknown GPM

Number of service connections 55 camp sites . 1 shower room

Pumphouse floor/ housekeeping clean

Storage:

Size and type of storage (1) 2000 gal surface storage tank
used only for emergencies (ie power out)

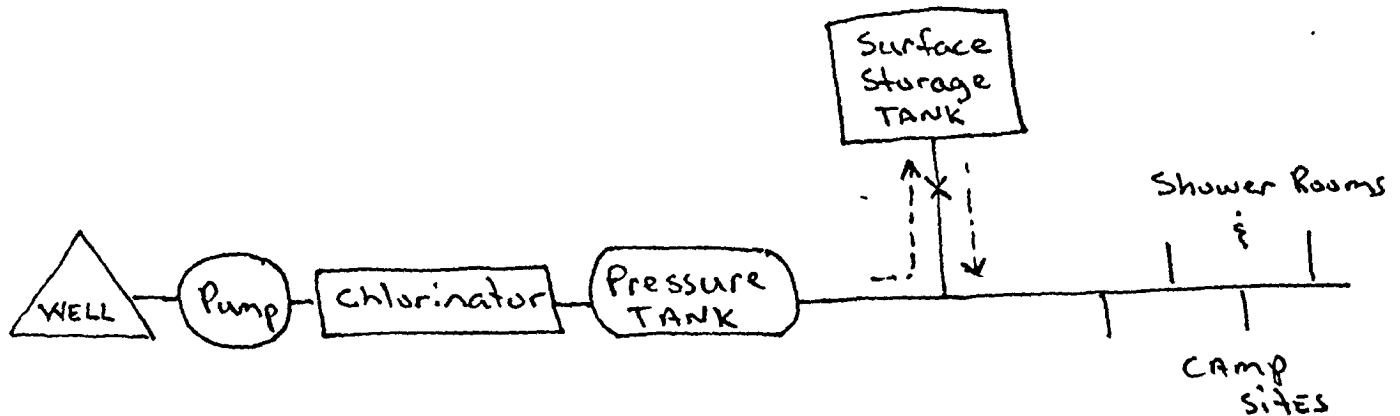
Cover/manhole conditions (overlapping cover?) Tank has an overlapping cover

Overflow and vents screened No overflow / vents

Distance from pits/ contamination/ drainage OK

General condition good

Block diagram of system:



Short report on system:

Water is pumped by a submersible pump up to a ~~pressure~~ the surface where it ~~goes through~~ is chlorinated. ~~and~~ It then goes through a pressure tank and into the distribution system. A 2000 gallon storage tank is filled but it is only used in case of a power outage (emergency). There were no noted defects in the system.



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

December 14, 1990

Three Forks Campground
Neil Hodges
HC 87 Box 70
Hill City SD 57745

Dear Mr. Hodges:

I am enclosing your water permit application, supplemental information, affidavit of water use and a map of the well location. Please look over this material carefully and make any changes if you feel they are necessary. Your next step is to get the applications and affidavit signed and notarized by a notary public.

The fee for a vested right claim is \$15.00 and must accompany the application in order for it to be processed.

Please send the applications, affidavit, map, fee, etc. back to the Department of Water & Natural Resources, Water Rights Division, 523 E. Capitol, Pierre, SD 57501. Your application will then be processed and a notice of hearing will be prepared and mailed to the nearest area newspaper to be published once a week for two weeks. You will also receive a copy of the notice of hearing and be billed for it later.

If you have any questions please call me at 773-3352.
Thank you for your attention to this matter.

Sincerely,

Regan Fanning
Natural Resource Analyst

enclosures

REPORT ON APPLICATION NO. 2159-2
for Three Forks Campground
March 6, 1991

Application No. 2159-2 requests validation of an appropriation of 0.07 cfs from one well approximately 130 feet deep located in the SW 1/4 NW 1/4 of section 22, T1S R5E in Pennington County. The water use has a claimed priority of 1945 and is used as a commercial water supply for the Three Forks Campground.

AQUIFER - Precambrian Rock (CRSL)

The Precambrian Rock in this area consists of metagraywacke and quartz-mica schist or phyllite (Redden, 1975). Ground water is obtained from secondary porosity zones like fractures and natural foliations within the rock. There is little primary porosity in this rock type. The aquifer is probably under water table conditions. Recharge to the aquifer is through rainfall and snowmelt percolating downward through fractures near or at the land surface and possibly infiltration from Spring Creek. There are no estimates for water in storage for this aquifer.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other water permits/rights within 2 miles of this area. Interference should not be a problem.

CONCLUSIONS

1. Water is available from the Precambrian aquifer.
2. Interference is not expected to be a problem.
3. There is no well log available. There is not enough information to determine if the well meets present SD Well Construction Standards.
4. The affidavit submitted with the application indicates this well was drilled in 1945. This application would qualify for a vested right with a 1945 priority date.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Redden, J.A., 1975, Precambrian Geology of the Black Hills, in Mineral and Water Resources of South Dakota, Bulletin 16, SD DWR, SDGS, Vermillion, SD, 57069.

RECOMMENDATION OF CHIEF ENGINEER FOR VALIDATION OF VESTED WATER

RIGHT APPLICATION NO. 2159-2, Three Forks 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 Validation of Vested Water Right Application No. 2159-2, Three Forks Campground, HC 87 Box 70, Hill City, SD.

The Chief Engineer is recommending VALIDATION of Application No. 2159-2 for 0.07 cfs because 1) water has been appropriated as described for irrigation use with a priority date of January 1, 1945, 2) the use has been developed without unlawful impairment of existing rights, 3) the use is a beneficial use and 4) it is in the public interest.

See report on application for additional information.

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

JOHN HATCH, Chief Engineer
March 8, 1991



DEPARTMENT OF WATER & NATURAL RESOURCES

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

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

March 27, 1991

Neal Hodges
Three Forks Campground
HC 87 Box 70
Hill City, SD 57745

Dear Mr. Hodges:

Your Application No. 2159-2 for a vested water right claim has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your claim has been sent to the Publisher of the Pennington County Prevalier printed at Hill City, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your notice of hearing to validate a vested right 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 twenty days before the board meeting. We must receive Proof of Publication before the application can be considered.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



DEPARTMENT OF WATER & NATURAL RESOURCES

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

March 27, 1991

Pennington County Prevailer
Box 266
Hill City, SD 57745

ATTN: Legal Publications:

Enclosed is a Notice of Hearing to Validate Vested Right Application No. 2159-2 to be published twice. Please publish the notice on or before April 4, 1991, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Three Forks Campground, HC 87, Box 70, Hill City, SD 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 until proof of publication has been received.

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: ATTN: Eric Gronlund
Water Rights Division
523 E Capitol
Pierre SD 57501-3181

Date _____
We are in receipt of your letter of _____ enclosing Notice of Hearing to
Validate A Vested Right Application which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on April 4, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING To Validate
Vested Water Right Application No. 2159-2 to Appropriate Water

Notice is given that Three Forks Campground, HC 87, Box 70, Hill City SD 57745 has filed an application to validate a vested water right claim to appropriate 0.07 cubic feet of water per second (cfs) from one well (Precambrian Rock) 130 feet deep located in the SW 1/4 NW 1/4 Section 22-T1S-R5E. The water use has a claimed priority date of 1945 and is used as a commercial water supply for the Three Forks Campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends VALIDATION of Vested Water Right Application No. 2159-2 for 0.07 cfs because 1) water has been appropriated as described for commercial use with a priority date of January 1, 1945, 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the vested water right application as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 22, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 2159-2 and 2) the chief engineer's recommendation, a Board meeting is scheduled for May 1, 1991, at 10:00 a.m. at Chef Louie's, Meeting Room, 601 E Havens, Mitchell SD. If this application is opposed or the recommendation is contested, the May 1, 1991 hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The May 1, 1991 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by April 22, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve the validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of the application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-18; 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, 46-5-49; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:19 thru 74:02:01:22.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Pennington) ss.

I, Don Gerken

certify that the attached printed Notice was taken
 from the Pennington Co. Press News

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 Hill City

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

4-3-91

4-10-91

Don Gerken

(Signature)

managing editor

(Title)

4-12-91

(Date Signed)

Cost of Printing: \$70.31



NOTICE OF HEARING

To Validate Vested
 Water Right
 Application No.
 2159-2 to
 Appropriate Water

Notice is given that Three Forks Campground, HC 87, Box 70, Hill City SD 57745 has filed an application to validate a vested water right claim to appropriate 0.07 cubic feet of water per second (cfs) from one well (Precambrian Rock) 130 feet deep located in the SW 1/4 NW 1/4 Section 22-T1S-R5E. The water use has a claimed priority date of 1945 and is used as a commercial water supply for the Three Forks Campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends VALIDATION of Vested Water Right Application No. 2159-2 for 0.07 cfs because 1) water has been appropriated as described for commercial use with a priority date of January 1, 1945; 2) the use has been developed without unlawful impairment of existing rights; 3) it is a beneficial use of water; and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the vested water right application as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

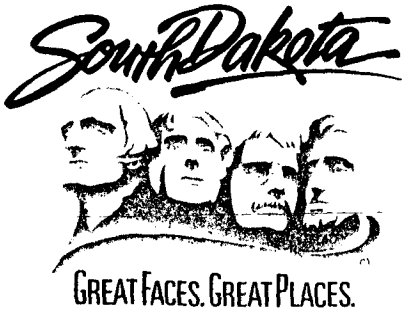
Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 22, 1991. The petition

may be informal, but must be include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing of Application No. 2159-2 and 2) the chief engineer's recommendation, a Board meeting is scheduled for May 1, 1991, at 10:00 a.m. at Chief Louie's, Meeting Room, 601 E. Havens, Mitchell SD. If this application is opposed or the recommendation is contested, the May 1, 1991 hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The May 1, 1991 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by April 22, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve the validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of the application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-18; 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, 46-5-49; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-4-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:19 thru 74:02:01:22.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 15 1991

2159-2

Neal Hodges
Three Forks Campground
HC 87 Box 70
Hill City, SD 57745

Dear Mr. Hodges:

Enclosed are your Validated Vested Water Right and Water License No. 2159-2. 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.

Very truly yours,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 15, 2001

2159-2

Robert LeMere
Three Forks Campground
23821 Hwy 385
Hill City, SD 57745

Dear Mr. LeMere:

Thank you for contacting us with regard to ownership of Vested Water Right No. 2159-2. The vested water right is currently listed under the name of Three Forks Campground with Neal Hodges as owner.

In order to change ownership of the vested water right to your name, a transfer should be filed. Under South Dakota Water Law, any notice of sale, grant, lease, conveyance or other transfer of a permit or license to appropriate water should be filed with the Chief Engineer within 90 days.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing the ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please get in touch with 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
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

June 22, 2001

2159-2

Robert LeMere
Three Forks Campground
23821 Hwy 385
Hill City, SD 57745

Dear Mr. LeMere:

Thank you for following up on the ownership change for Vested Water Right No. 2159-2 (Three Forks Campground).

I am returning your check in the amount of \$2.55. The fee for filing the transfer of ownership is only \$2.50. If you would go ahead and issue another check for \$2.50, we will get the transfer filed. I realize this seems a little bureaucratic, but the cost for us to refund your nickel would be greater than the entire cost of the transfer itself.

As soon as we receive the \$2.50 check from you, the transfer of ownership will be completed. I am enclosing a postage paid envelope for your convenience in returning the check. Thank you in advance for your help.

If I can answer any questions for you, please get in touch with me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. **2159-2**



Date: 20 JUNE 01

I/We request that Vested Water Right No. **2159-2**

formerly owned by: **Neal Hodges dba Three Forks Campground**

be transferred to: (name & address) **Robert LeMere, dba Three Forks Campground, 23821 Hwy 385, Hill City, SD 57745**

Telephone No. (605) 574-4546

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

well location: SW ¼ NW ¼ Section 22, T1S, R5E

I/We understand that the validity of Vested Water Right No. **2159-2** 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 Dawn J. Goodsell 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]
(Signature of new owner)

Subscribed and sworn to before me this 20th day of June, 2001.

My Commission expires
July 9, 2006

[Signature]
(Notary Public)

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

NR 416858

Pierre, June 27, 2001

RECEIVED OF Robert LeMere, dba Three Forks Campground, 23821 Hwy 385, Hill City, SD 57745
the following amount in fees for services rendered as provided for by law: (Neal Hodges)

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 2159-2

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Darland Erbele

Chief Engineer

gm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 2, 2001

2159-2

Robert LeMere
Three Forks Campground
23821 Hwy 385
Hill City, SD 57745

Dear Mr. LeMere:

I am writing to acknowledge receipt of the \$2.50 fee you paid for filing an ownership change for Vested Water Right No. 2159-2. The transfer has been completed and the vested water right is now listed in your name.

Enclosed is your Receipt No. 416858. You may keep this for your records.

Thank you and if I can answer any questions for you, please get in touch with me.

Sincerely,

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

enclosure

2159-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 15, 2010

2159-2
2506-2

Michelle Anderson
PO Box 494
Hill City SD 57745

Dear Ms. Anderson:

I am writing in follow-up to your phone message left with our secretary concerning Vested Water Right No. 2159-2 and Water Permit No. 2506-2. I have included copies of each for your review.

Enclosed are two "Notice of Transfer of Ownership" forms for filing name or ownership changes. Please complete the forms and return them to our office with a required filing fee of \$50.00 each (total of \$100.00). The check or money order for the fee can be made payable to the Water Rights Program. If only one of them needed changes, you can toss the additional form and of course disregard the second filing fee.

If you have any questions, please contact me.

Sincerely,

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

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 6, 2012

2159-2
2506-2

Michelle Anderson
PO Box 494
Hill City SD 57745

Dear Ms. Anderson:

Recently a staff engineer with our program conducted an investigation for licensing purposes of the water use project authorized under Water Permit No. 2506-2. The permit is currently listed in the name of Cheyenne River Ranchettes, with Douglas Groves listed as owner.

In reviewing the file prior to issuance of the water license, I note that in October, 2010, I sent you copies of Vested Water Right No. 2159-2 (Three Forks Campground) and Water Permit No. 2506-2 (Cheyenne River Ranchettes) along with transfer forms for filing ownership changes. This was done in response to your phone call requesting the information. To date, we have not received anything back from you.

In order to proceed with licensing of Water Permit No. 2506-2, please get in touch with me as to whether or not the ownership changes are still needed and if so, who I need to contact.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 19, 2012

2159-2
2506-2

Daisey Enterprise LLC
PO Box 1167
Hill City SD 57745

Attention: Jesse

I am writing in follow-up to our phone conversation concerning the ownership changes needed for Water Permit No. 2506-2 and Vested Water Right No. 2159-2 copies enclosed. Currently, ownership is listed as follows:

- Water Permit No. 2506-2: Cheyenne River Ranchettes
- Vested Water Right No. 2159-2: Robert LeMere dba Three Forks Campground

It is my understanding from our conversation that the well permitted under No. 2506-3 (Cheyenne River Ranchettes) is a backup well and is set up to serve the Three Forks Campground if needed. When we spoke on the phone I mentioned perhaps incorporating them together since they served the same campground. After further review, they should be left separate and really does not cost you anymore to leave them under separate rights since the licensing fee was already paid by the previous owner.

The only thing needed for the moment is to file the ownership changes. Enclosed are two partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (total of \$100.00). The check or money order for the fee can be made payable to the Water Rights Program.

You mentioned in our phone conversation that you may have questions for Aaron Tieman with our regional office concerning some proposed expansion or changes. Aaron can be reached at (605) 394-2229.

If I can answer any questions for you, please let me know.

Sincerely,

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

c: Aaron Tieman

RECEIVED

SEP 28 2012

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2159-2

Date: 9/26/12

I/We request that Vested Water Right No. 2159-2

formerly owned by: Robert LeMere, dba Three Forks Campground

be transferred to: (name & address)

Daisey Enterprises, LLC dba
Three Forks Campground 23821 Hwy 385
Hill City SD 57745 Telephone No. (605) 574-4546

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

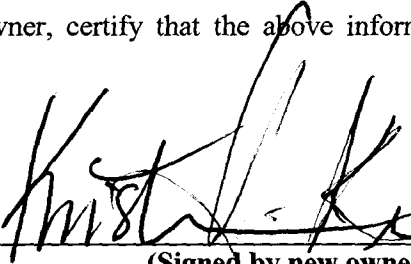
Well location: SW ¼ NW ¼ Section 22, T1S, R5E

I/We understand that the validity of Vested Water Right No. 2159-2 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 Kristen Kilcoin, 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 9/28, 20 12

RECEIVED OF Daisey Enterprise LLC PO Box 1167 Hill City SD 57745

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>2159-2</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. **05594**

By [Signature]
Chief Engineer

2159-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 1, 2012

2159-2
2506-2

Kristen Kilcoin
Daisey Enterprise LLC
23821 Hwy 385
Hill City SD 57745

Dear Ms. Kilcoin:

I am writing to acknowledge receipt of the transfer forms and filing fees you filed for Vested Water Right No. 2159-2 and Water Permit No. 2506-2.

The ownership changes have been completed. Vested Water Right No. 2159-2 and Water Permit No. 2506-2 are now listed in the name of Daisey Enterprise LLC dba Three Forks Campground.

Water Permit No. 2506-2 is now ready for licensing. Everything needed for issuance of the license has been completed. You will be receiving the license under separate cover in a couple weeks.

Enclosed are Receipt Nos. 05594 and 05595 in the amount of \$50.00 each which you paid for filing the ownership changes. 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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

May 22, 2025

2159-2

2506-2

2826-2

Country Store at Three Forks
23820 US-385
Rapid City SD 57702

To whom it may concern:

I am writing you today in reference to a recent survey conducted by Office of Water staff that found a well providing water to the county store that may not be permitted.

Water Right No. 2159-2, held by Daisy Enterprise LLC, dba Three Forks Campground, authorizes diversion of 31 gallons per minute from one well, for use at the campground.

Water Right No. 2506-2, held by Daisy Enterprise LLC, dba Three Forks Campground, authorizes diversion of 5 gallons per minute from a second well, to use at the campground.

Water Permit No. 2826-2, held by Andy Edsen, authorizes diversion of 15 gallons per minute from one well to be used to supply water for the Three Forks Development & Diamond Spur Event Center.

With this letter, I hope to determine whether the well servicing the country store is one of the wells authorized by one of the above listed permits/water rights or if it a system of its own, which would require additional permitting.

Please review the above information and contact me via telephone or email to discuss.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

Cc: Philip 66 Gas Stations, PO Box 7200, Bartlesville OK 74005