

Considered: _____

WATER PERMIT NO. 2252-2

Phone: _____

Name of Applicant: Mountain Meadow Resort

Post Office Address: HCR 87, Box 25A, Hill City SD 57745

Amount of Water Claimed: 24 gpm 0.05 cfs Total Acres: _____

Source of Water Supply: groundwater

Water to be used for: commercial County: Pennington

About 12 miles NW of Hill City

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 9-25-92 Fee: \$50 Remarks _____

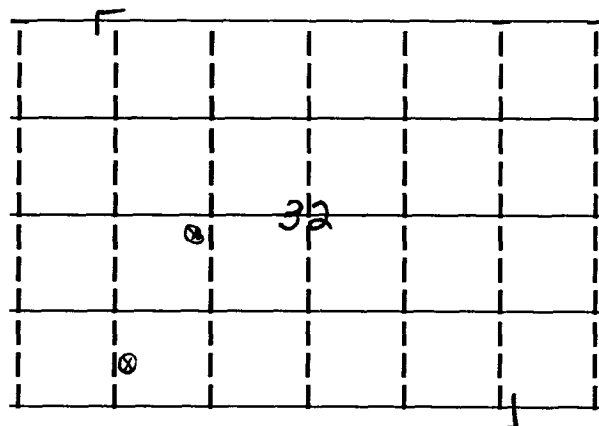
Corrected Application Received 10/13/92 Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: W 1/2 SW 1/4 Sec 32-T1N-R3E

Land to be Irrigated: _____



Well Log: Driller: Hamm Drilling Licensed YES X NO _____

Depth of Well: 60' and 225' REMARKS well log not available for 225' well

Type of Map: topo PREPARED BY: Ron Duvall Reviewed and the Number

Assigned on 10-16-92 By Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT NO. 2252-2**

Date of first receipt of application September 25, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2252-2 to Mountain Meadow Resort, HCR 87, Box 25A, Hill City SD 57745 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2252-2 appropriates 24 gallons per minute (0.05 cubic feet of water per second) from two existing wells (Precambrian Rock) 60 feet and 225 feet deep located in the W 1/2 SW 1/4 Section 32-T1N-R3E.
2. The water appropriated shall be used for the purpose of supplying water to the resort and trailer court 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 described annual period: January 1 - December 31.
4. The date of approval of Permit No. 2252-2 is December 2, 1992.
5. The date from which applicant may claim right is September 25, 1992.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

DEC 24 1992
date

No. 2252-2 Hydrologic Unit 10120110
 Map No. _____ Basin Upper Cheyenne
 Newspaper Pennington Co. Prebailer News

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 Mountain Meadow Resort Phone No. _____Post Office Address HCR 87, Box 25A Hill City State SD 57745
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) Well #1 - 12 GPM Well #2 - 12 GPM (0.05 cfs)3. Source of water supply 2 wells4. Location of point of diversion W/2 of SW 1/4 of Sec. 32 T1N R3ECounty Penn.5. Counties where water will be used Penn.6. Annual period during which water is to be used All year. Jan 1 - Dec 31

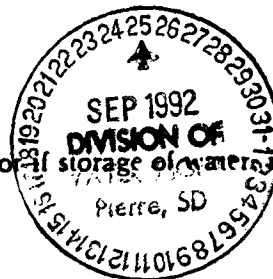
7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

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 Penn.1. Loretta C. Jefferson 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 [Signature]Subscribed and sworn to before me this 01 day of Sept 1992

Notary Public



Supplemental Information

(type or print in ink)

well #1
Jellye

1. Well Information - Proposed construction

- a) Drill Hole Diameter 6" Depth 225
- b) Casing Type 6" Steel Diameter 6" 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) _____
- g) Distance to nearest existing domestic well:
On applicants property 2100' On property owned by others 1 mile

~~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 _____

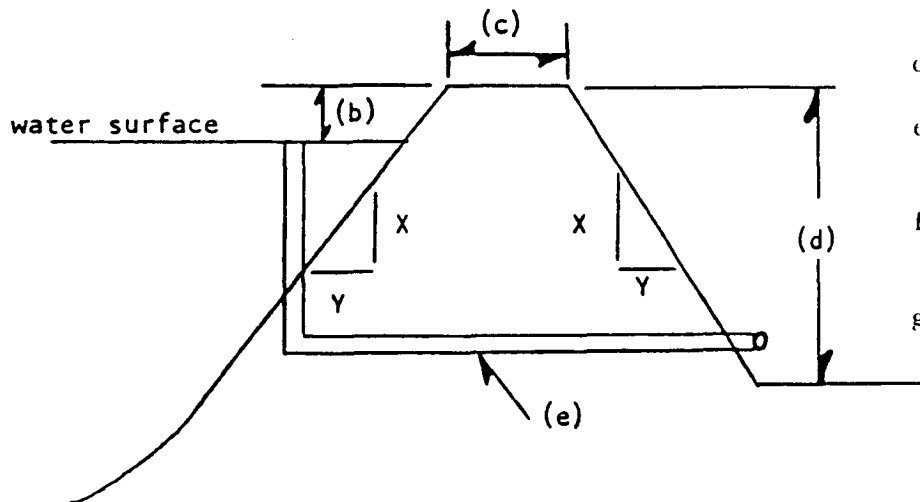
g) X & Y Slope
Upstream _____

Downstream _____

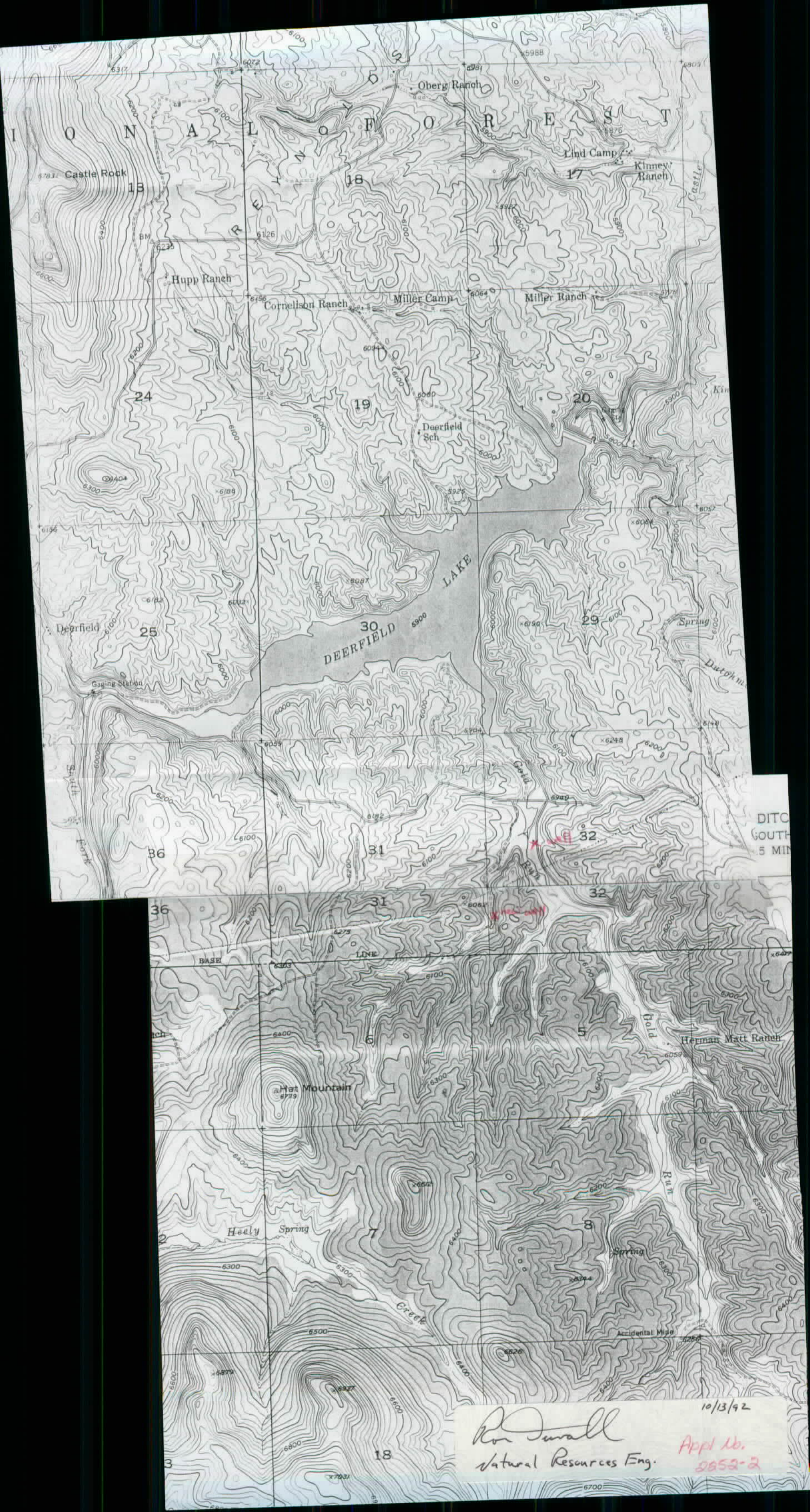
Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____



Ron Small
Natural Resources Eng.

10/13/92
Appl No.
8852-2

County Penn

A 2x2 grid map of a 1-mile square area. The top edge is labeled "North". The left edge is labeled "X'" and the right edge is labeled "E". The bottom edge has a double-headed arrow labeled "1 Mile". The bottom-right cell contains a small "x" labeled "x₂".

AIR ROTARY

Laboratory sent to for water quality analysis Huntingdon

Date: 11-6-94

RECEIPT

413446

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ September 29, 19 92

RECEIVED OF Loretta Jefferson, Mountain Meadow Resort & Campground, HCR 87 Box 25A,
the following amount in fees for services rendered as provided for by law: Hill City, SD 57745

Fee for Application for Permit No. <u>2252-2</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

SURVEY OF NON-COMMUNITY WATER SUPPLY

Survey performed by Judene Holan
Date 4-14-92
Person contacted Loretta Jefferson - co-owner

NC PWS DATA -

Name of NC PWS MT. MEADOW TRAILER COURT - HILL CITY
ID Number 2083
Location of NC PWS On Hwy 17, 14 miles northwest of Hill City
Type (campground, motel, restaurant, etc.) Seasonal Trailer Court
NC PWS Mailing Address & Phone Mt. Meadow Trailer Court
HCR 87 Box 25A
Hill City SD 57745
Phone: 574-2636

Operator/Manager Same as above
Operator/Manager Address & Phone Same as above

Owner Gale and Loretta Jefferson
Owner Address & Phone Same as above

Type of owner: Private (X) City () State () Federal () Other ()
County NC PWS located in Pennington
Seasonal operation dates Year Around
Number of people served: Average daily Approx. 5
Type of people (transient vs. permanent) Transient
Number and listing of service connections 15 Mobile Homes (the people use the homes as weekend or vacation homes)

WATER SOURCE & SOURCE ID -

Type of source Well
If surface, inspection of water source and turbidity test N/A
Water rights and legal description In the process of obtaining Water Rights

SOURCE DATA -

Depth 65 feet Diameter 6 inch Casing Material Unk.
Date of construction 1990
Is source in a pit or depression subject to flooding? No
Height of casing above ground Approx. a foot
Location of source(s) Across from the second to last mobile home

Distance to: Septic tank Approx. 200 ft. Lagoon N/A
Any private sewage systems nearby The Mt. Meadow Resort

Any known or possible source of contamination None could be found

Comments _____

PUMP & STORAGE DATA -

Well pump type Submersible Capacity (GPM) Unk.
Condition of pump house Good

Size & type of storage Steel Pressure Tank: Approx. 100 gals.

Overlapping covers N/A Overflows screened N/A
Vents screened N/A Cover locked N/A
Distance from possible sources of contamination Approx. 200 ft.
Condition of storage facilities Good

Comments _____

TREATMENT -

Type of Treatment: Disinfection () Softening () Filtration ()
Other () None (X)

Type of Disinfection N/A

Separate room _____; Positive mechanical ventilation _____;
Restraints _____; Self contained air pack _____; Scale present _____
Other chemicals stored in chlorine room _____

Type of Softening N/A

Type of Filtration N/A

Other N/A

Noted defects N/A

Comments _____

Chlorine residual: Location of tap and result N/A

Coliform sample: Location of tap and result Lot #18 - Safe

Nitrate sample: Location of tap and result Lot #18 - 0.40 ppm

Turbidity test: Location of tap and result N/A

OPERATOR CERTIFICATION -

Classification of water system: N/A Water Distribution
N/A Water Treatment

Are the necessary certificates held by an operator? N/A

Test kits present at system N/A

Are up-to-date reagents present? N/A

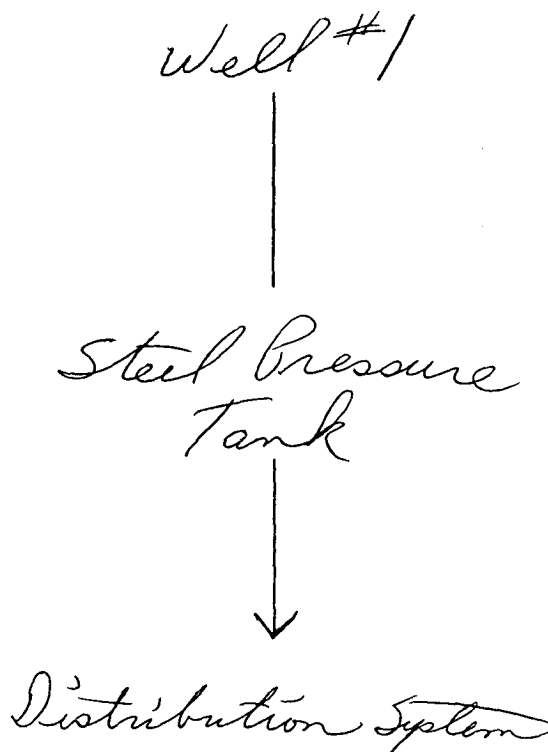
What tests and their frequency are performed by the operator? N/A

Records kept concerning the water system Bacteriological reports and maintenance costs

Total annual use N/A

Comments The bacteriological reports should be kept on file for at least five (5) years.

FLOW DIAGRAM OF SYSTEM -



SURVEY OF NON-COMMUNITY WATER SUPPLY

Survey performed by Judene Holan

Date 4-14-92

Person contacted Loretta Jefferson - co-owner

NC PWS DATA -

Name of NC PWS MT. MEADOW RESORT - HILL CITY

ID Number 0695

Location of NC PWS On Hwy 17, 14 miles northwest of Hill City

Type (campground, motel, restaurant, etc.) Campground, cabins, store and seasonal mobile homes

NC PWS Mailing Address & Phone Mt. Meadow Resort

HCR 87 Box 25A

Hill City SD 57745

Phone: 574-2636

Operator/Manager Same as above

Operator/Manager Address & Phone Same as above

Owner Gale and Loretta Jefferson

Owner Address & Phone Same as above

Type of owner: Private (X) City () State () Federal () Other ()

County NC PWS located in Pennington

Seasonal operation dates Year around

Number of people served: Average daily Approx. 25

Type of people (transient vs. permanent) Transient & one permanent

Number and listing of service connections 19 - Store, 6 camping hook-ups
4 cabins, 1 central tap in campground, 6 seasonal trailers and bathhouse

WATER SOURCE & SOURCE ID -

Type of source Well

If surface, inspection of water source and turbidity test N/A

Water rights and legal description Working on obtaining Water Rights

SOURCE DATA -

Depth 225 feet Diameter 6 inch Casing Material Steel

Date of construction 1963

Is source in a pit or depression subject to flooding? No

Height of casing above ground Approx. 1 1/2 feet

Location of source(s) Next of store

Distance to: Septic tank 2 Lagoon N/A
Any private sewage systems nearby Mt. Meadow Trailer Court

Any known or possible source of contamination Corrals are located about 150 feet from the well. Resort septic tanks are about 300 feet from the well
Comments _____

PUMP & STORAGE DATA -

Well pump type Submersible Capacity (GPM) Unk.
Condition of pump house Good (in the back part of store)

Size & type of storage Steel Pressure Tank - Approx. 100 gals.

Overlapping covers N/A Overflows screened N/A
Vents screened N/A Cover locked N/A
Distance from possible sources of contamination None
Condition of storage facilities Good

Comments _____

TREATMENT -

Type of Treatment: Disinfection () Softening () Filtration ()
Other () None (X)

Type of Disinfection N/A

Separate room _____; Positive mechanical ventilation _____;
Restraints _____; Self contained air pack _____; Scale present _____
Other chemicals stored in chlorine room _____

Type of Softening N/A

Type of Filtration N/A

Other N/A

Noted defects N/A

Comments _____

Chlorine residual: Location of tap and result N/A

Coliform sample: Location of tap and result Kitchen - Loretta took routine

Nitrate sample: Location of tap and result Kitchen - <0.10 ppm

Turbidity test: Location of tap and result N/A

OPERATOR CERTIFICATION -

Classification of water system: N/A Water Distribution
N/A Water Treatment

Are the necessary certificates held by an operator? N/A

Test kits present at system N/A

Are up-to-date reagents present? N/A

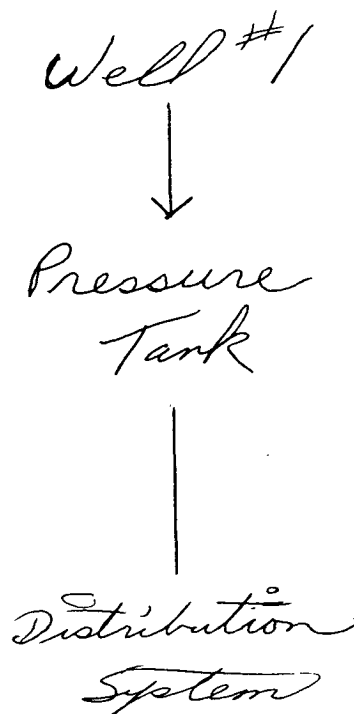
What tests and their frequency are performed by the operator? N/A

Records kept concerning the water system Bacteriological reports and maintenance costs

Total annual use N/A

Comments The bacteriological reports should be kept on file for at least five (5) years.

FLOW DIAGRAM OF SYSTEM -





GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 23, 1991

MOUNTAIN MEADOW RESORT
STAR RT. BOX 25A
HILL CITY SD 57745

Dear SIR :

I am contacting you regarding the possibility that you need a permit to appropriate water for water use in your facility. We have reviewed our records after receiving information from the Office of Drinking Water and can not locate a water permit for your facility.

The enclosed "Summary of South Dakota Water Law and Water Right Information" provides general information regarding what uses of water need to be permitted. Water uses that require permits, such as commercial use, are listed under item 7 in the enclosed summary. Domestic water uses that do not require permits are listed under item 5. Pursuant to South Dakota Codified Laws 46-1-15 and 46-5-10, you must have a water permit to use water for any purpose, except for domestic uses defined by SDCL 46-1-6(4). A vested water right can be claimed for water uses beginning on or prior to February 28, 1955, for ground water or March 2, 1955, for surface water.

If your water use is not permitted, then any other water user with a water permit has first priority to water even if your water use began prior to the permitted use. This is important when a limited supply of water is available and your water use is adversely affected. The permitted use will be protected, the unpermitted use is illegal and will not be protected.

Enclosed are water permit application forms and an instruction sheet. Please complete and return the application with the required fee to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by August 30, 1991. If you have questions or need assistance contact Don Frye, Natural Resources Analyst (605-773-3352).

Very truly yours,

RON DUVALL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 29, 1991

MOUNTAIN MEADOW RESORT
Carl Jefferson
HCR 87, BOX 25A
HILL CITY SD 57745

Dear Mr. Jefferson:

I am writing to follow-up on my July 23, 1991 letter regarding the possibility that you may need a permit to appropriate water for use in your facility. We have reviewed our records and can not locate a water permit for your facility.

Pursuant to South Dakota Codified Laws 46-1-15 and 46-5-10, a water permit is required to use water from any water source, except for private domestic use. Examples of commercial use that require permits for private water supplies are: truckstops, motels, restaurants, tourist attractions, commercial campgrounds and any other business operation. Examples of noncommercial use that require permits for private water supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute or use water outside of the school building. A vested water right can be claimed for water uses beginning on or prior to February 28, 1955, for ground water or March 2, 1955, for surface water.

An existing business without a water permit has no legal right to the use of water. Water users without a water permit are not protected if their water use is interfered with by someone who has a water right. If you believe you already have a water permit or if you have a permit issued under another name, please contact us.

Enclosed are water permit application forms and an instruction sheet. Please complete and return the application with the required fee to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by November 29, 1991. If you have questions or need assistance contact Don Frye, Natural Resources Analyst (605-773-3352).

Very truly yours,

Ron Duvall, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 1992

Carl and Loretta Jefferson
Mountain Meadow Resort
HCR 87 Box 25A
Hill City SD 57745

Dear Mr. and Mrs. Jefferson:

I am writing this letter as a follow-up to the visit Don Frye and I made to your business back in December, 1991. At that time, we were under the impression you were going to complete the application we left you, but we have not heard from you.

We would appreciate your attention to this matter. If you need further assistance, please feel free to call Don Frye at 605-773-3352.

Very truly yours,

RON DUVAL, Natural Resources Engineer
Division of Water Rights



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

September 8, 1992

Loretta Jefferson
Mountain Meadow Resort
HCR 87, Box 25A
Hill City, SD 57745

Dear Ms. Jefferson:

This letter is a follow-up to my visit with you last June. At that time, you said you would find out what the pump rate was for both of your wells and let me know. I haven't heard from you on this matter, and our records still indicate that the Mountain Meadow Resort needs a water permit.

Please complete the application and mail it, along with the required fee to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501". If you have any questions, or need assistance, feel free to call me at 605-773-3352.

Sincerely,

A handwritten signature in cursive script that reads "Don Frye".

DON FRYE, Natural Resources Analyst
Water Rights Division

REPORT ON APPLICATION NO. 2252-2
for Mountain Meadow Resort
October 28, 1992

Application No. 2252-2 proposes to appropriate 24 gpm (0.05 cfs) from two existing wells 60 and 225 feet deep located in the W 1/2 SW 1/4 of section 32, T1N R3E in Pennington County. The water is for commercial use at the resort and a trailer court.

AQUIFER - PRECAMBRIAN ROCK (CRSL)

The Precambrian rock in this area consists of metamorphosed tuffaceous shale. The rock is described a light-gray to light-tan muscovite schist and muscovite phyllite with an approximate thickness of 1,000 to 3,000 feet (DeWitt, 1989). Ground water is obtained from fractures and natural foliations within the rock. The rock is unconfined and no estimate is available for the amount of water in storage for this rock type. The driller's log filed with this application indicates a total depth of 60 feet, a static water level of 7 feet below land surface and a air developed pumping rate of 15 gpm. No information is available for the 225 feet deep well.

The Division of Water Rights does not monitor any observation wells completed into Precambrian rock in this area. Typically water levels in Precambrian rock fluctuate with climatic conditions, that is, rising fairly rapidly during wet years (usually in spring) due to recharge and gradually declining water levels during dry years (Water Rights, 1992).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other water permits/rights within 3 miles of this area. Interference is not a problem. The two well for this application are over 1/4 mile apart.

CONCLUSIONS

1. Water is available from the Precambrian rock in this area.
2. The aquifer is unconfined. Interference is not a concern.
3. The well completion report for the 60 feet well indicates that this well is completed in accordance with SD Well Construction Standards. No information is available to determine the status of the 225 feet deep well.
4. The method of wastewater disposal is through a septic tank system for each facility. Based upon the inspection by the

Drinking Water Program, the water is safe and the distance to the septic tanks from the wells complies with existing standards.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

DeWitt, E., J.A. Redden, S. Buscher, A.B. Wilson, Geologic Map of the Black Hills Area, South Dakota and Wyoming, USGS Map I-1910.

Water Rights, 1992, Unpublished Observation Well Records for the Black Hills Area, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2252-2, Mountain Meadow Resort

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 2252-2, Mountain Meadow Resort, c/o Loretta Jefferson, HCR 87 Box 25A, Hill City, SD 57745.

The Chief Engineer is recommending APPROVAL of Application No. 2252-2 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) it is in the public interest.

See report on application for additional information.

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

JOHN HATCH, Chief Engineer
October 29, 1992



**DEPARTMENT of ENVIRONMENT
and 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.

October 30, 1992

Loretta Jefferson
Mountain Meadow Resort
HCR 87 Box 25A
Hill City, SD 57745

Dear Ms. Jefferson:

Water Permit Application No. 2252-2 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Pennington County Prevalier News printed at Hill City, SD (Ph # 574-2538). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 1992

Pennington County Prevalier News
Box 266
Hill City, SD 57745

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2252-2 to be published twice. Please publish the first notice on November 5, 1992, 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 Mountain Meadow Resort, HCR 87 Box 25A, 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. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

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

Instruction to Newspaper - Publish first Notice on November 5, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2252-2 to Appropriate Water

Notice is given that Mountain Meadow Resort, HCR 87 Box 25A, Hill City, SD 57745 has filed an application for a water permit to appropriate 24 gallons per minute (0.05 cubic feet of water per second) from two existing wells (Precambrian Rock) 60 feet and 225 feet deep located in the W 1/2 SW 1/4 Section 32-T1N-R3E. The water is for commercial use at the resort and a trailer court.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2252-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. 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 permit 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 November 23, 1992. 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, December 2, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. 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, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The December 2, 1992, 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 November 23, 1992.

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 Eric Gronlund by November 23, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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-20, 46-2A-21; 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; 46-6-3, 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. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Pennington) ss.



I, Pat Lembke

certify that the attached printed Notice was taken
 from the Hill City Prevailer 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 Hill City Prevailer News
Hill City of S. D.

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

November 4, 1992

November 11, 1992

Pat Lembke
 (Signature)

Production Mgr.
 (Title)

11-11-92

(Date Signed)

Cost of Printing: 62.60

NOTICE OF HEARING On Application No. 2252-2 To Appropriate Water

Notice is given that Mountain Meadow Resort, HCR 87 Box 25A, Hill City, SD 57745 has filed an application for a water permit to appropriate 24 gallons per minute. (0.05 cubic feet of water per second) from two existing wells (Precambrian Rock) 60 feet and 225 feet deep located in the W 1/2 SW 1/4 Section 32-T1N-R3E. The water is for commercial use at the resort and a trailer court.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2252-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. 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 permit 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 November 23, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, December 2, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. 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, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The December 2, 1992, 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 November 23, 1992.

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 of 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 Eric Gronlund by November 23, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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-20, 46-2A-21; 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; 46-6-3, 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. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 24 1992

Loretta Jefferson
Mountain Meadow Resort
HCR 87 Box 25A
Hill City, SD 57745

Dear Ms. Jefferson:

Enclosed is Water Permit No. 2252-2 authorizing construction of your water diversion system and beneficial use of the water, 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
605 773-3352

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date June 7, 20 04

RECEIVED OF Deerfield Lake Resort, 11321 Gillette Prairie Rd, Hill City SD 57745-0549

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	2.50	
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>2252-2</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. _____	2.50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No. 001345

By Darla L. Ebel
Chief Engineer gm

SD EForm - 0495 V1 NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 2252-2

Date: 6/4/2004

I/We request that Water Right/Permit No. 2252-2 formerly owned by:
Mountain Meadow Resorts be transferred to:

New Owner Name: Deerfield Lake Resort

Address: 11321 Gillette Prairie Road

City, State, Zip Hill City SD 57745 Telephone No. (605) 574-2636

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

SW1/4 sec 32-T1N-R3E (location of wells)

☐ I understand that the validity of Water Right/Permit No. 2252-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Catherine Frey, the new owner, certify that the above information is true and correct.

Catherine Frey / Deerfield Lake Resort
(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.

11/2002

RECEIVED

JUN 07 2004

WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 8, 2004

2252-2

Catherine Frey
Deerfield Lake Resort
11321 Gillette Prairie Rd
Hill City SD 57745

Dear Ms. Frey:

I am writing to acknowledge receipt of the transfer of ownership form and filing fee you submitted for Water Permit No. 2252-2. The transfer has been completed. The water permit formerly listed in the name of Mountain Meadow Resorts is now listed in the name of Deerfield Lake Resort.

Enclosed is your Receipt No. 001345 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

FEB 20 2015

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 2252-2Date: 1/31/2015

I/We request that Water Right/Permit No. 2252-2 formerly owned by:
Deerfield Lake Resort, care of Catherine Frey be transferred to:

New Owner Name: Mt. Meadow Store & Campground, LLC
Address: 11321 Gillette Prairie Rd
City, State, Zip Hill City SD 57745 Telephone No. _____

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

W 1/2 SW 1/4 Section 32, T1N, R3E

☒ I understand that the validity of Water Right/Permit No. 2252-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Dan Holsworth, 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 2/20, 2015

RECEIVED OF Mt. Meadow Store & Campground PO Box 129 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>2252-2</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. 07284

By Jeanne Hoalman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 24, 2015

2252-2

Dan Holsworth
Mt. Meadow Store & Campground LLC
11321 Gillette Prairie Rd
Hill City SD 57745

Dear Mr. Holsworth:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Permit No. 2252-2.

The ownership change has been completed. Water Permit No. 2252-2 formerly held by Deerfield Lake Resort is now listed in the name of "Mt. Meadow Store & Campground LLC".

Enclosed, for your records, is Receipt No. 07284 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

Genny McMath
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
<http://denr.sd.gov>

June 23, 2015

2252-2

Dan Holsworth
Mt Meadow Store & Campground LLC
11321 Gillette Prairie Rd
Hill City SD 57745

Dear Mr. Holsworth:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2252-2, was completed by Aaron Tieman, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the **"Water Rights Program"**.

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 7/8, 20 15

RECEIVED OF Mt. Meadow Store & Campground LLC PO Box 129 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. <u>2252-2</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **07444**

By Jadme Gooden
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

JAN 10 2020

2808-2

2252-2

Mt. Meadows Store & Campground LLC
c/o Dan Holsworth
PO Box 129
Hill City SD 57745

Dear Mr. Holsworth:

Enclosed is Water Permit and License No. 2808-2. These are the final water right documents completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if in the future the owner drills a replacement well and has no plan to use the old existing well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

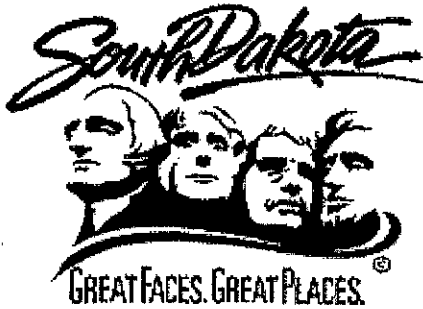
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

Note: The applicable portions of No. 2252-2 are incorporated into Water License No. 2808-2.

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

January 15, 2020

2808-2
2252-2

Mt. Meadows Store & Campground LLC
c/o Dan Holsworth
PO Box 129
Hill City SD 57745

Dear Mr. Holsworth:

A review of your recently issued Water Right No. 2808-2 found that the license fee of \$50.00 was submitted twice. Consequently, \$50.00 will be refunded to you. You will receive the refund check within two weeks.

If you have any questions, please contact this office.

Sincerely,

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

Jeanne Goodman, Chief Engineer
Water Rights Program
605 773-3352

January 14, 2020

PAYMENT REQUEST FORM

PAYEE: Mt. Meadows Store & Campground LLC
c/o Dan Holsworth
PO Box 129
Hill City, SD 57745

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

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Refund License Fee submitted twice for Water Permit Application #2808-2

AMOUNT: \$50.00

FUNDING SOURCE:

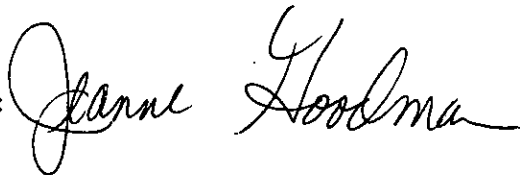
GENERAL: X

FEDERAL:

OTHER:

COMMENTS:

AUTHORIZATION:



I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.