

WATER PERMIT NO. 2344-2

Name of Applicant: Mike Vinton

Address: Box 437, Keystone SD 57751

Phone: 605 666-4557

Amount of Water Claimed: 20 gpm (0.044 cfs)

Total Acres: NA

Source of Water Supply: groundwater (three wells)

Depth of Wells: 110 feet, 200 feet and 200 feet

Water to be used for: commercial use

County: Pennington

Type of Waste Disposal System: individual septic tanks

Location: Keystone

PRIORITY

Date Received: 8-28-95

Fee: \$50

Corrected Application Received: NA

Period of Annual Use: January 1 - December 31

Remarks: For use at Battle Creek Campground

Diversion Point: (Gov Lot 4) NW 1/4 NW 1/4

Sec 8-T2S-R6E

Land to be Irrigated: NA

	888				
		8			

Reviewed and the Number Assigned on: 8-29-95

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

FORM 2: Application for uses other than irrigation
(type or print)

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 2344-2 Hydrologic Unit 10120109
Basin Upper Cheyenne
Newspaper Rapid City Journal
(office use only)



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

Check use of water:

☐ Municipal ☐ Suburban Housing ☐ Recreational ☐ Institutional
☐ Rural Water System ☒ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☐ Domestic ☐ Industrial ☐ Other _____
(over 18 gpm)

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

- Name of Applicant Miho Dinton Phone 605 6664557
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address Box 437 Keystone State SD 57751
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 0.044 *CFS or 20 gpm **GPM Total 3 wells ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet -- storage capacity of dam/dugout or annual use if applicable)
- Source of water supply 3 wells
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
3 wells Box lot 4 Sec 8 T25 R6E BHM.
Town of Keystone (NW 1/4 NW 1/4) County Pennington
- County or counties where water will be used Pennington
- Annual period during which water is to be used yearly Jan 1 - Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
Existing Campgrounds (Battle Creek Campgrounds)

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of Pennington^{SS}

I, Miho Dinton, 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 _____

Subscribed and sworn to before me this 24 day of August 1995

My Commission Expires
November 4, 1999

Notary Public

**SOUTH DAKOTA
WATER PERMIT NO. 2344-2**

Date of first receipt of application August 28, 1995.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2344-2 to Mike Vinton, Box 437, Keystone SD 57751 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

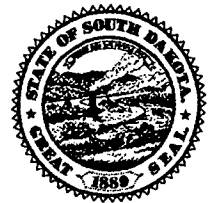
1. Water Permit No. 2344-2 appropriates 0.044 cubic feet of water per second (20 gallons per minute) from three existing wells (Precambrian Rock) 110 feet, 200 feet and 200 feet deep located in (Government Lot 4) NW 1/4 NW 1/4 Section 8-T2S-R6E.
2. The water appropriated shall be used for the purpose of supplying water to Battle Creek Campground and may not exceed the amount of water needed for beneficial use for commercial use 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. 2344-2 is November 6, 1995.
5. The date from which applicant may claim right is August 28, 1995.
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
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 18 1995

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

3 wells a) Drill Hole Diameter all 6 in Depth well #1 110ft well #2 200ft well #3 200ft

b) Casing Type _____ 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) _____

g) Distance to nearest existing domestic well:

On applicants property _____ On property owned by others _____

2. Dugout Information

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 for each dam. The locations of the dams need to 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 _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres

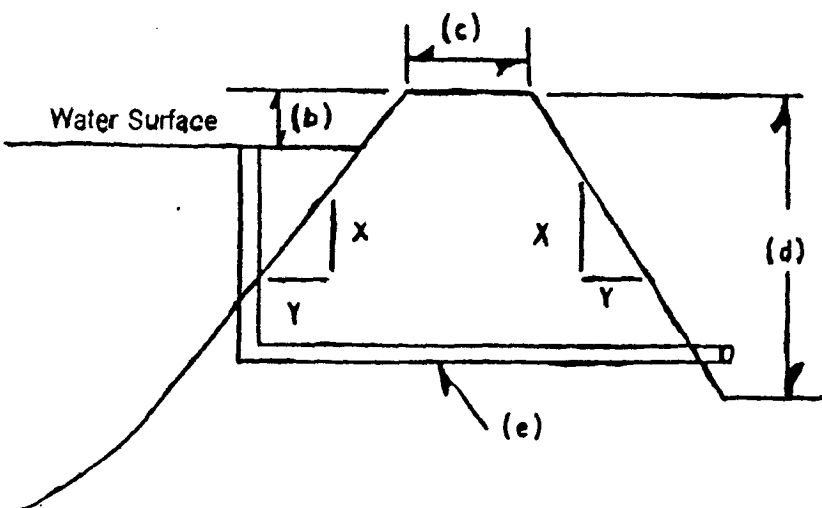
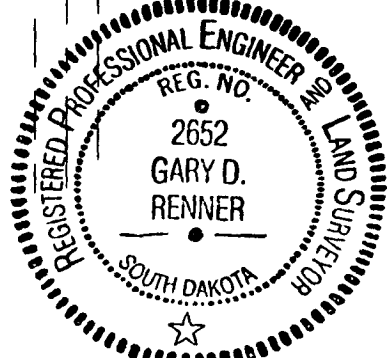
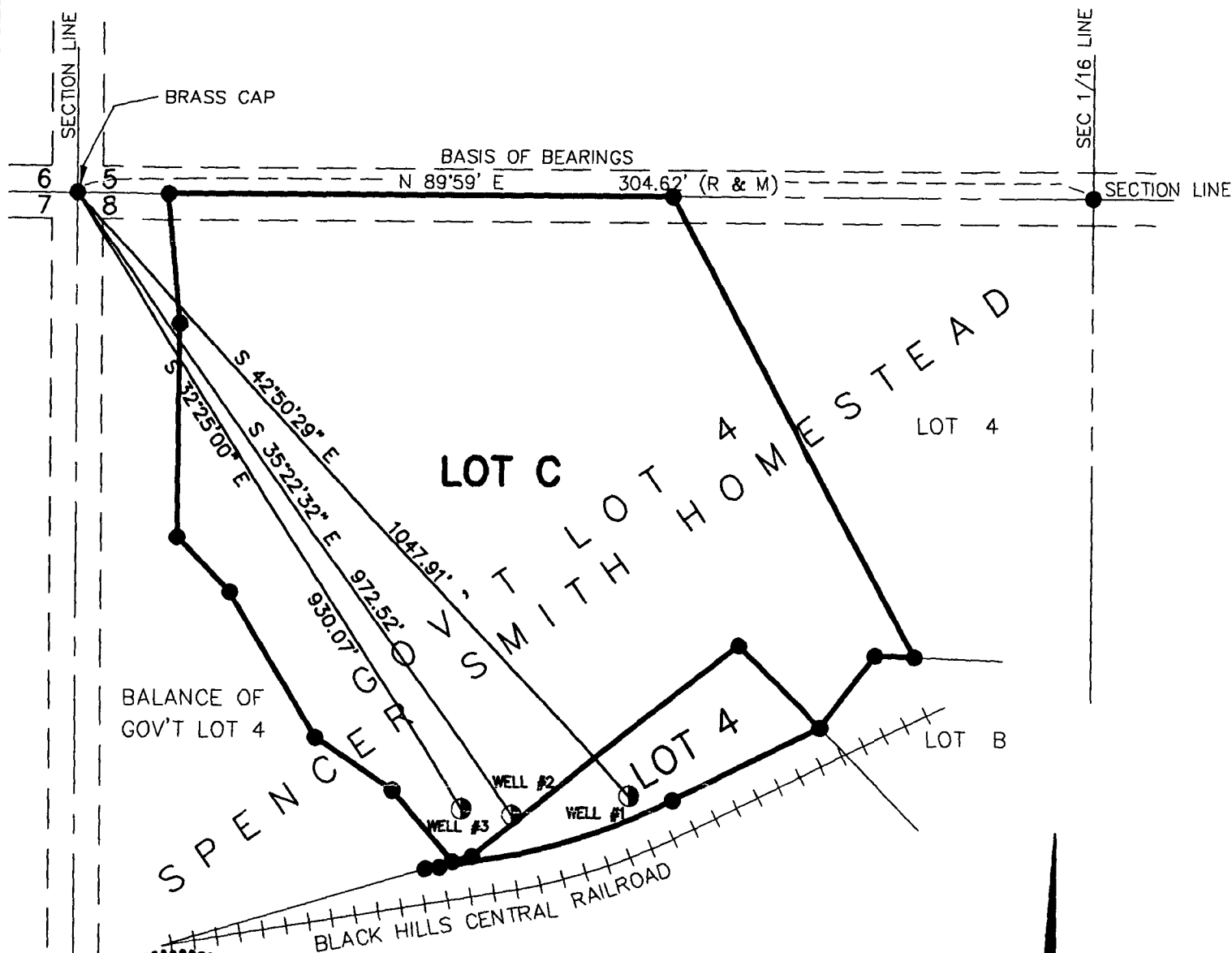
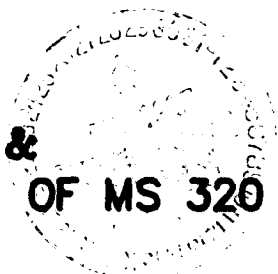


EXHIBIT
WELL LOCATION MAP
**LOT C OF THE SPENCER SMITH HOMESTEAD &
LOT 4 OF WEST FORK HARNEY HYDRAULIC SUBDIVISION OF MS 320**

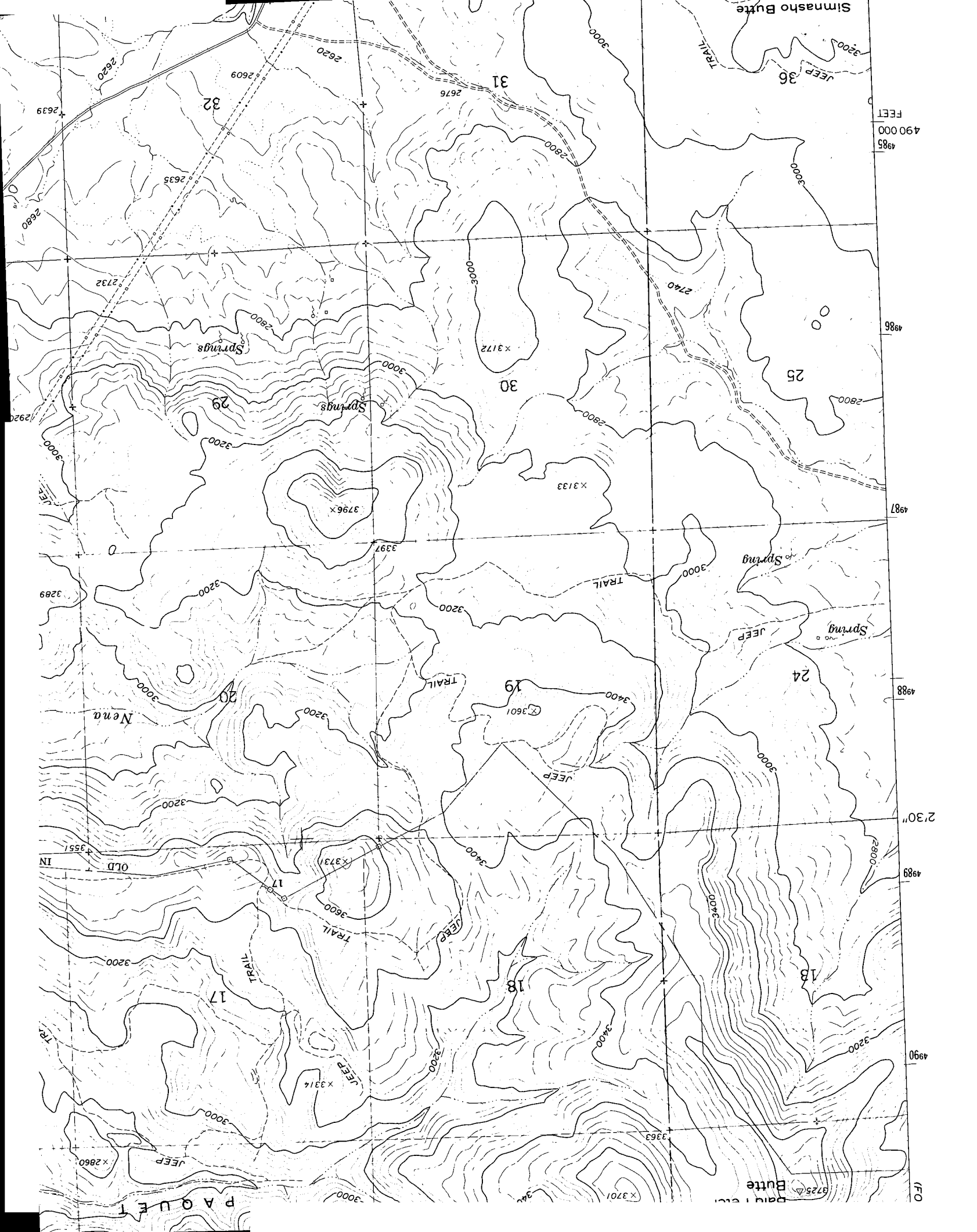
LOCATED IN GOVERNMENT LOT 4
OF SECTION 8, T2S, R6E, BHM
TOWN OF KEYSTONE, PENNINGTON COUNTY, SOUTH DAKOTA



- LEGEND**
- FOUND MONUMENT
 - (M) MEASURED THIS SURVEY
 - (R) RECORDED IN A PREVIOUS PLAT OR DESCRIPTION



2344-2



RECEIPT

414599

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ August 28, 19 95

RECEIVED OF Battle Creek Campground, PO Box 437, Keystone, SD 57751

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

Fee for Application for Permit No. <u>2344-2</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

Dear Sirs:

I am interested in knowing what I will have to do to obtain a water permit.

I own the Bottle Creek Campgrounds
in Keystone SD.

I have 60 sites and run off of
2 private wells one is 60ft deep the other
about 130ft deep

Please explain procedures and send me any applications I may need

Thank you
W. H. H.

Battle Creek Compground

Box 437

Keystone SD 57751



sent appl
forms 11-17-92



October 13, 1994

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Battle Creek Campground
Box 437
Keystone SD 57751

*Mike Vinton
666-4557*

Dear Sir:

Our records indicate that in 1992 you inquired about obtaining a water permit for the campground. At that time, forms were sent to apply for a Permit to Appropriate Water. To date, we have not received a response from you.

Obtaining a water permit ultimately benefits you by protecting your right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right. Currently, a water permit for Battle Creek Campground has not been found on file with the Water Rights Division. If you believe you already have the required water permit or no longer use the water, please inform us.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water for commercial purposes.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
(605) 773-3352

enclosures

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Mike Vinton - Battle Creek Campground

ADDRESS: Box 437, Keystone SD COUNTY: Pennington

DATE: 8-28-95 TELEPHONE: 605 666-4557

RE: Pending Application

COMMENTS:

I talked with Mrs. Vinton who indicated that the Campground has individual septic tanks for their waste disposal. Mrs. Vinton further stated the only information they had regarding the three wells was the depths and the drill hole diameters. The Vinton's had gotten this information from the previous owners of the campground.

Karen Schlaak

Karen Schlaak
Environmental Scientist

REPORT ON WATER PERMIT APPLICATION NO. 2344-2
for Mike Vinton
September 27, 1995

Application No. 2344-2 proposes to appropriate 0.044 cfs (20 gpm) from three wells approximately 110 feet, 200 feet and 200 feet deep located in the NW 1/4 NW 1/4 of section 8, T2S R6E in Pennington County. The water is for commercial use at Battle Creek Campground.

AQUIFER - PRECAMBRIAN ROCK (CRSL)

The Precambrian rock in this area is a metagraywacke consisting of medium to dark gray siliceous mica schist. Ground water is obtained from fractures and natural bedding planes in the rock type. Recharge to the rock is accomplished through infiltration of rainfall and snowmelt directly into the rock and possibly by surface flows from Battle Creek. There is no estimate available for the amount of water in storage in this rock type. The information filed with the permit application only gives the depth of the wells and no completion reports are available. Other wells in the area are of similar depth and indicate adequate water (Water Rights, 1995).

The Water Rights Program does not monitor any observation wells completed into the Precambrian rock in the area. Very little water level information is available. The only observation well completed into the Precambrian rock in the Black Hills is located near Custer. This well shows clearly the response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. It is expected the water levels in this area would behave similarly.

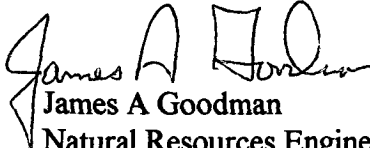
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights within 1/2 mile of this application. Interference is not a concern. The aquifer is unconfined (water table conditions) and the pumping rates are relatively small. Drawdown caused by pumping should not be significant.

CONCLUSIONS

1. Water is available from the Precambrian rock. These wells have been in existence for many years with no apparent problems.
2. Interference is not a concern. The spacing between existing users is sufficient to minimize any potential impacts. Also the pumping rates are relatively small.
3. There is insufficient information available to determine if these wells are constructed in accordance with SD Well Construction Standards.

4. Wastewater is disposed of through an on site septic tank system.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

DeWitt, E., J.A. Redden, D.Buscher, A.B. Wilson, 1989, Geologic Map of the Black Hills Area, South Dakota and Wyoming, Miscellaneous Investigations Series, USGS, 1989.

Water Rights, 1995, Unpublished Driller's Logs Files, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2344-2, Mike Vinton**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 2344-2, Mike Vinton, Box 437, Keystone, SD 57751.

The Chief Engineer is recommending APPROVAL of Application No. 2344-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest.

See report on application for additional information.

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

JOHN HATCH, Chief Engineer
October 5, 1995



**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 10, 1995

Mike Vinton
Box 437
Keystone, SD 57751

Dear Mr. Vinton:

Water Permit Application No. 2344-2 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 Rapid City Journal printed at Rapid City, SD (Ph # 605-394-8300). 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 /ks

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.



October 10, 1995

Rapid City Journal
P.O. Box 450
Rapid City, SD 57709-0450

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2344-2 to be published twice. Please publish the first notice on October 18, 1995, 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 Mike Vinton, Box 437, Keystone, SD 57751 (Ph # 605-666-4557).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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/ks

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
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 October 18, 1995, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2344-2 to Appropriate Water

Notice is given that Mike Vinton, Box 437, Keystone, SD 57751 has filed an application for a water permit to appropriate 0.044 cubic feet of water per second (20 gallons per minute) from three existing wells (Precambrian Rock) 110 feet, 200 feet and 200 feet deep located in (Government Lot 4) NW 1/4 NW 1/4 Section 8-T2S-R6E. The water is for commercial use at Battle Creek Campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2344-2 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 6, 1995.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Pennington) SS

I, Patricia K. Van Patten

certify that the attached printed Notice was

taken from the Rapid City
Journal

printed and published in Rapid City

County of Pennington and State of

South Dakota. The notice was published in
the newspaper on the following two dates:

October 18, 1995

October 25, 1995

Cost of Printing: Sixty-nine
dollars and ninety-two
cents (\$69.92).

Patricia K. Van Patten
(Signature)

(Title)

10/26/95

(Date Signed)

Oct. 18, 25 L.1683
NOTICE OF APPLICATION
NO. 2344-2
TO APPROPRIATE WATER
Notice is given that Mike Vinton,
Box 437, Keystone, SD 57751 has
filed an application for a water
permit to appropriate 0.044 cubic
feet of water per second (20 gal-
lons per minute) from three exist-
ing wells (Precambrian Rock) 110
feet, 200 feet and 200 feet deep lo-
cated in (Government Lot 4) NW1/4
NW1/4 Section 9-T2S-R6E. The wa-
ter is for commercial use at Battle
Creek Campground.
Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends AP-
PROVAL of Application No. 2344-2
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. In accor-
dance with SDCL 46-2A-23, the
chief engineer will act on the ap-
plication, as recommended, unless
a petition is filed opposing the ap-
plication or the applicant files a
petition contesting the chief engi-
neer's recommendation. If a peti-
tion opposing the application or
contesting the recommendation is
filed, then a hearing will be
scheduled and the Water Man-
agement Board will consider the
application. Notice of the hearing
will be given to the applicant and
any person filing a petition.
Any person interested in oppos-
ing or supporting this application
or recommendation, must file a
written petition with BOTH the
applicant and chief engineer. The
applicant must file a petition if
contesting the chief engineer's
recommendation. The Chief En-
gineer's address is "Water Rights
Program, Foss Building, 523 E.
Capitol, Pierre, SD 57501 (605-773-
3332)" 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 6, 1995.
The petition may be informal,
but must include a statement de-
scribing 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 peti-
tioner or the petitioner's legal
counsel, if legal counsel is ob-
tained. Contact Eric Granlund at
the above Water Rights Program
address to request copies of in-
formation pertaining to this appli-
cation.
Nettie H. Myers
Secretary
Department of Environment
and Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 16, 1995

Mike Vinton
Box 437
Keystone SD 57751

Dear Mr. Vinton:

I am writing regarding publication of the notice of hearing for Water Permit Application No. 2344-2. On October 10, 1995 the legal notice of hearing on Application No. 2344-2 to Appropriate Water for commercial use was sent to you. This letter directed you to review the notice for accuracy and contact the Rapid City Journal to authorize publication. The Rapid City Journal informed me that you had not contacted them to authorize publication of this notice. Consequently, the notice will not be published on October 18 and 25, 1995.

Enclosed is another copy of the Notice with November 3 and 10, 1995 as the scheduled dates of publication. **It will be necessary for you to contact the Rapid City Journal (Phone # 605 394-8300) by October 30, 1995 to authorize publication and to arrange for payment of the notice.** Please contact the paper as soon as possible.

If you have any questions, please contact Karen Schlaak or me.

Sincerely,

Eric Gronlund /ks

Eric Gronlund
Natural Resources Engineer
Water Rights Program
605 773-3352

enclosures



October 16, 1995

Rapid City Journal
P.O. Box 450
Rapid City, SD 57709-0450

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2344-2 to be published twice. Please publish the first notice on November 3, 1995, 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 Mike Vinton, Box 437, Keystone, SD 57751 (Ph # 605-666-4557).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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 /KS

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
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 3, 1995, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2344-2 to Appropriate Water

Notice is given that Mike Vinton, Box 437, Keystone, SD 57751 has filed an application for a water permit to appropriate 0.044 cubic feet of water per second (20 gallons per minute) from three existing wells (Precambrian Rock) 110 feet, 200 feet and 200 feet deep located in (Government Lot 4) NW 1/4 NW 1/4 Section 8-T2S-R6E. The water is for commercial use at Battle Creek Campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2344-2 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 20, 1995.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, 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 18 1995

Mike Vinton
Box 437
Keystone, SD 57751

Dear Mr. Vinton:

Enclosed is Water Permit No. 2344-2 authorizing 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 Program
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

November 18, 2001

2344-2

Mike Vinton
Box 437
Keystone SD 57751

Dear Mr. Vinton:

On October 10, 2001 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2344-2, was completed by Ken Buhler, 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 Genny McMath with our program at (605) 773-3352.

Sincerely,

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

Enclosed find \$50

for water Rights

for Bottle Creek Campground
Keystone SD

A handwritten signature in black ink, appearing to be "H. P. Star", written in a cursive style.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

417035

Pierre, December 26, 20 01

RECEIVED OF Mike Vinton, Battle Creek Campground, PO Box 437, Keystone, SD 57751
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. 2344-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Darland Erbe

Chief Engineer

gm

Permit No. 2344-2
Upper Cheyenne River - Water District

Other permit/license(s) associated with project: na

Contact Person & Address: Mike Vinton, Box 437, Keystone, SD 57751

Report Of Examination Of Works

On, October 10, 2001, I made a thorough examination of the water use system constructed by Mike Vinton of Box 437, Keystone, SD 57751 holder of Permit No. 2344-3, bearing the priority of August 28, 1995 authorizing the diversion of 0.044 cu. ft. per second of the waters of groundwater for commercial purposes, in Pennington County.

The system is in the following condition good. The points of diversion are located: "Well #1": 769 feet south and 713 feet east of the NW corner of Sec. 8, T2S-R6E with a longitude of -103.436506 and a latitude of 43.895042; "Well #2": 790 feet south and 560 feet east of the NW corner of Sec. 8, T2S-R6E with a longitude of -103.4370810 and a latitude of 43.894970; and "Well #3": 785 feet south and 498 feet east of the NW corner of Sec. 8, T2S-R6E with a longitude of -103.437278 and a latitude of 43.894982. The works are capable of diverting and conveying to the place of use 0.044 cu. ft. per second of water which is to be used for commercial purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.044 cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map ys
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period na
- 4) Exceptions to compliance are: none

Report On the Specifics of the System

Diversion Point Information:

Well #1

- | | |
|---------------------------------------|------------------------------------|
| 1) Well Drilling Firm: <u>unknown</u> | 2) No. of Wells <u>one</u> |
| 3) Depth(s) <u>100</u> feet | 4) Well log is available <u>no</u> |

Casing:

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

Screen:

- | | |
|------------------------|-------------------------------|
| 1) Type <u>unknown</u> | 2) Length <u>unknown</u> feet |
|------------------------|-------------------------------|

3) Static water level unknown feet

Pump\ Motor:

1) Pump Make Flint and Walling

2) Pump Model 4F10S 10201

3) Capacity 10 GPM

4) Motor Make Franklin Electric

5) Motor Model No. 2445089003

6) Horsepower rating 1 hp

Well #2

1) Well Drilling Firm: unknown

2) No. of Wells one

3) Depth(s) 200 feet

4) Well log is available no

Casing:

1) Diameter 5 inches

2) Length unknown feet

3) Type steel

Screen:

1) Type unknown

2) Length unknown feet

3) Static water level unknown feet

Pump\ Motor:

1) Pump Make Flint and Walling

2) Pump Model 4F10S 10301

3) Capacity 10 GPM

4) Motor Make Franklin Electric

5) Motor Model No. 280184910

6) Horsepower rating 1 hp

Well #3 (Standby well)

1) Well Drilling Firm: unknown

2) No. of Wells one

3) Depth(s) 200 feet

4) Well log is available no

Casing:

1) Diameter 5 inches

2) Length unknown feet

3) Type steel

Screen:

1) Type unknown

2) Length unknown feet

3) Static water level unknown feet

Pump\ Motor:

- | | |
|---------------------------------------|--|
| 1) Pump Make <u>Flint and Walling</u> | 2) Pump Model <u>submersible</u> |
| 3) Capacity <u>10</u> GPM | 4) Motor Make <u>Franklin Electric</u> |
| 5) Motor Model No. <u>2801074910</u> | 6) Horsepower rating <u>3/4</u> hp |

Distribution System:

- 1) Type Polyethylene 2) Size 1 1/4 inches

SYSTEM DISCRIPTION:

Well No. 1 pumps to two 80 gallon pressure tanks, one 40 gallon pressure tank, and a 300 gallon steel storage tank. Water from these tanks is used mainly at Battle Creek Campground for 27 camper hookups, showers, toilets and a laundromat. Well No. 2 pumps to one 80 gallon pressure tank and is used mainly by seven mobile homes (five are year round homes). Owner can change valves and use either well (#1 or #2) for either purpose (campground or mobile home park). Well No. 3 is currently used to supply domestic water to a neighbor but is a backup supply for the campground and is used at the campground when either Well No. 1 or Well No. 2 are down. The system only uses two wells at a time.



Ken Buhler

Natural Resources Engineering Specialist
DENR, Water Rights Program

12/17/2001

Date

Water Right Map 2344-2

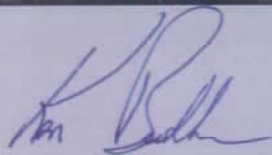
NW corner of Sec. 8, T2S-R6E

Well #1
769 feet south and 713 feet east
of the NW corner of Sec. 8, T2S-R6E

Well #2
790 feet south and 560 feet east
of the NW corner of Sec. 8, T2S-R6E

Well #3
785 feet south and 498 feet east
of the NW corner of Sec. 8, T2S-R6E

800 0 800 1600 Feet



Ken Buhler
Natural Resources Engineering Specialist
SD DENR-Water Rights Program



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2344-2

(1) Mike Vinton, Box 437, Keystone SD 57751 made Application No. 2344-2, August 28, 1995 for a water permit to divert 0.044 cubic feet of water per second from groundwater (three wells), Pennington County, South Dakota for commercial purposes. Permit No. 2344-2, with a priority date of August 28, 1995 was approved November 6, 1995 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of said water completed.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.044 cubic feet of water per second for beneficial use. The location of the diversion points are: Well # 1 – 769 feet south and 713 feet east; Well # 2 – 790 feet south and 560 feet east; and Well # 3 - 785 feet south and 498 feet east; all from the northwest corner of Section 8-T2S-R6E (NW ¼ NW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use at Battle Creek Campground.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Mike Vinton, Box 437, Keystone SD 57751 the holder and/or owner of Water Right No. 2344-2 is issued a license to appropriate water, the right to use 0.044 cubic feet of water per second from groundwater (three wells) with a priority date of August 28, 1995 from the locations specified in (2) of this license for commercial purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2344-2 and subject to South Dakota State Law.



Garland Erbele

JAN 15 2002

date

GARLAND ERBELE, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 15 2002

2344-2

Mike Vinton
Box 437
Keystone, SD 57751

Dear Mr. Vinton:

Enclosed is Water License No. 2344-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 417035 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2344-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

McMath, Genny

Subject: FW: Permit 2344-2

-----Original Message-----

From: Harris, Linda

Sent: Wednesday, July 02, 2003 5:41 PM

To: McMath, Genny

Subject: Permit 2344-2

Info I had in the file for this permit is that it covers 3 wells at Battle Creek Camp near Keystone. (Location: T1S, R6E, Section 8 Pennington County)

Well 1: 1960s, 6 inch, 120 ft, 10 gpm (Main camp well)

Well 2: 1960s, 6 inch, 250 ft, 17 gpm (serves 4 year-round mobile homes & is an emergency back-up supply for the camp)

Well 3: date?, 6 inch, 200 ft (serves 1 home)*

* Used to be an emergency back-up supply for the camp. That option is no longer available.

Owner is Mike Vinton.

7/8/2003