

WATER PERMIT NO. 2506-2

Name of Applicant: Robert LeMere

Address: 23821 Hwy 385, Hill City SD 57745

Phone: 605 574-4546

Amount of Water Claimed: 4 gpm (0.009 cfs)

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial use

County: Pennington

Type of Waste Disposal System: septic tank & drainfield

Location: 3 miles northeast of Hill City

PRIORITY

Date Received: 5-22-03

Application/License Fee: \$100

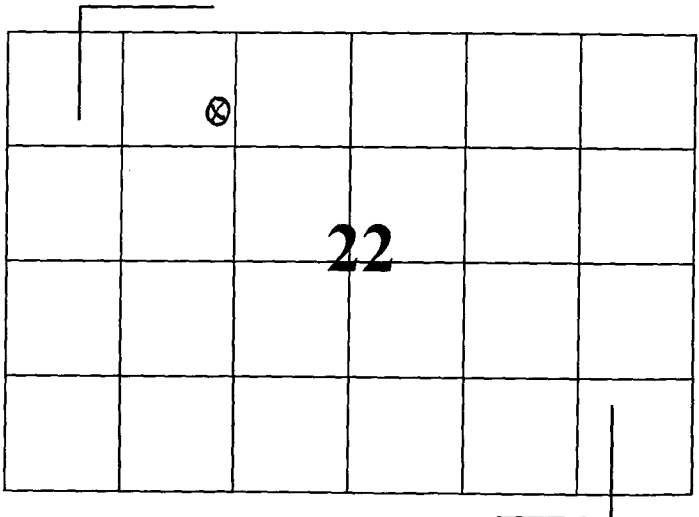
Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks: Backup supply for Three Forks Campground

Diversion Point: NW ¼ NW ¼ Sec 22-T1S-R5E

Land to be Irrigated: NA



Depth of Well: 260

Well Driller: : Hamm Drilling

Remarks:

Type of Map: topo

Prepared by: Gerald ?, NRCS

Reviewed and the Number Assigned on: 5-22-03

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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

Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

(office use only)
Hydrologic Unit 10120109
No. 2506-2
Basin Upper Cheyenne
Newspaper Hill City Prevalier News, Hill City

RECEIVED
MAY 22 2003
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

Type of Application:
(check one)

☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ 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.)

1. Name of Applicant ROBERT LEMERE (check one) ☒ Owner ☐ Tenant/lessee Phone 574 605 574 4546
Mailing Address 23821 HWY 385, HILL CITY State SD 57745
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.04 *CFS or 20 X **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply WELL
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County PENNINGTON
THREE FORKS CAMPGROUND SUBDIVISION, WISCONSIN PLACER LOT B
(NW 1/4) LOT D, E & F AND THREE FORKS SUBDIVISION LOT 1-14
NW 1/4 NW 1/4 Sec 22-T15-R5E
5. County or counties where water will be used PENNINGTON
6. Annual period during which water is to be used 1 JAN - 31 DEC
7. 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)
RESERVE WELL FOR THREE FORKS CAMPGROUND

STATE OF SOUTH DAKOTA)
County of PENNINGTON) SS

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)

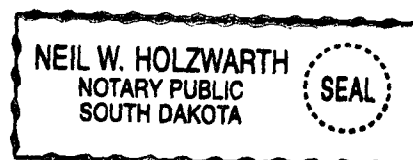
I, ROBERT LEMERE, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature [Signature]

Subscribed and sworn to before me this 12th day of may 20 03

My Commission Expires
January 30, 2009

[Signature]
Notary Public signature



**SOUTH DAKOTA
WATER PERMIT NO. 2506-2**

Date of first receipt of application May 22, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2506-2 to Robert LeMere, 23821 Hwy 385, 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. 2506-2 appropriates 0.04 cubic feet of water per second (20 gallons per minute) from one well (Precambrian aged Crystalline Rock) 260 feet deep located in the NW ¼ NW ¼ Section 22-T1S-R5E.
2. The water appropriated shall be used for the purpose of commercial use at Three Forks Campground and may not exceed the amount of water needed for beneficial use.
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. 2506-2 is August 18, 2003.
5. The date from which applicant may claim right is May 22, 2003.
6. One-fifth of the construction is to be completed on or before February 18, 2006.
7. All construction is to be completed on or before August 18, 2008.
8. Water is to be put to beneficial use on or before August 18, 2012.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 28 2003

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6" Depth 260'
- b) Casing Type PVC Diameter 6" Thickness 180 LBS
- c) Screen Type NONE Diameter Thickness
- d) Gravel Pack NONE Length of Gravel Pack
- e) Depth to Top of Water Bearing Material
- f) Depth to Water (ground surface to water level) 30'
- g) Distance to nearest existing domestic well:
- On applicants property 270 YDS On property owned by others

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) SEPTIC TANK + DRAIN FIELD
- b) System Capacity (gallons) 4200 Year Constructed 1967
- c) Connected to the City of Sanitary System

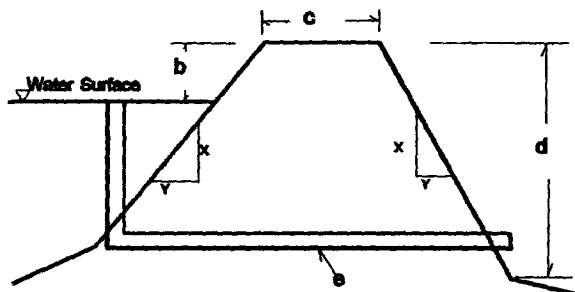
3. Dugout Information

- a) Surface Dimensions Depth
- b) Depth to water (ground surface to water level)

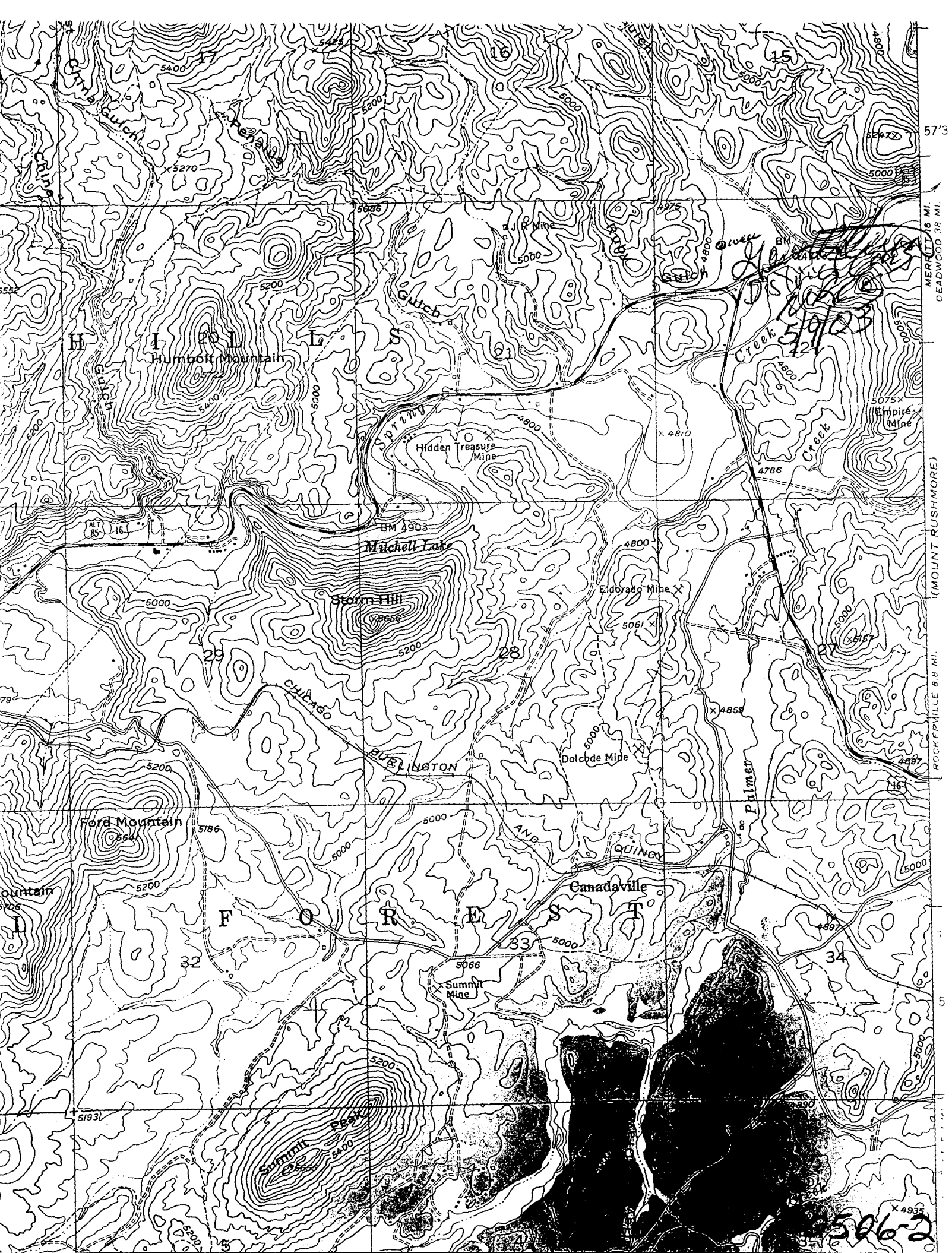
4. Water Storage Dams

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



57°3

MERRITT 16 MI.
DEADWOOD 38 MI.

(MOUNT RUSHMORE)
ROCKFORD 48 MI.

5

5062

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date May 22, 20 03

RECEIVED OF Three Forks Camp Ground, 23821 Highway 385, Hill City SD 57745

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

Fee for Application for Permit No. <u>2506-2</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. <u>2506-2</u>	50	00
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	100.00

No.

000783

By

Darland Ebel
Chief Engineer

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

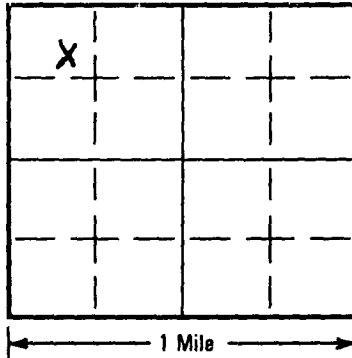
Location NW 1/4 NW 1/4 Sec 22 Twp 15 Rg 5E
 County Penn

Please mark well location with an "X"

W

E

Well Completion Date

05-03-03

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 500 ft. from Septic tank (identify source).

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☒ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

AIR ROTARYCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>180 LB/FT</u>	<u>6 IN</u>	<u>0 FT</u>	<u>40 FT</u>	<u>8 3/4 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>FT</u>	<u>9</u>	<u>14.5 lb./gal</u>	<u>6 ft</u>	<u>40 ft</u>
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure pumped cement down
to 6 ft from bottom up

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: Chlorine tabs

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Robert LellereBusiness Name: Three Forks CampgroundAddress: 23821 HWY 385
Hill City, SD 57745

WELL LOG:

DEPTH

FORMATION

FROM

TO

<u>Top Soil</u>	<u>0</u>	<u>2</u>
<u>clay</u>	<u>2</u>	<u>17</u>
<u>micaceous schist</u>	<u>17</u>	<u>260</u>

STATIC WATER LEVEL 30 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: Blow with air☐ Bailed _____☒ Other _____

Pumping Level Below Land Surface

260 ft. After 4 Hrs. pumped 4 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

MAY 07 2003

WATER RIGHTS PROGRAM

This well was drilled under license # 171

And this report is true and accurate.

Drilling firm Hamm Drilling

Signature of License Representative:

Douglas Hamm

Signature of Well Owner or Equitable Property Holder:

R LellereDate: 5 MAY 03

7-0-0



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 24, 2003

Douglas Hamm
Hamm Drilling
12089 Deerfield Rd.
Hill City, SD 57745

Dear Mr. Hamm:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well for Three Forks Campground prior to approval of a water permit. The test well is to be completed into the Precambrian Crystalline Rock in the NW¼ NW¼ Section 22, T1S-R5E. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

A SD Water Permit must be obtained before water from this well can be used. Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application; and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit.

Very truly yours,

JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for GARLAND ERBELE, Chief Engineer
Water Rights Program
(605) 773-3352

Hamm Drilling
12089 Deerfield RD
Hill City, SD 57745

Ken Buhler
Department of Environment and Natural Resources
Water Rights Program
523 E Capitol
Pierre, SD 57501

RECEIVED

MAR 20 2003

WATER RIGHTS
PROGRAM

Dear Ken Buhler:

Request permission to drill a test well for Three Forks Campground.

Well will be in the Pre Cambrian Rock, in NW ¼, NW ¼ sec 22 T1S

R5E of Black Hills Meridian, under lisc. # 171

Thank you,

Douglas Hamm

**Water Rights Program
File Documentation**

NAME OF PERSON OR FILE: Robert LeMere

ADDRESS: 23821 Hwy 385, Hill City, SD 57745 COUNTY: Pennington

DATE: July 16, 2003 TELEPHONE: (605)574-4546

RE: Water Permit Application No. 2506-2, Diversion Rate

COMMENTS:

I contacted Mr. LeMere to discuss the diversion rate he requested in Water Permit Application No. 2506-2, (4 gallons per minute). Mr. LeMere advised me that he had purchased a 20 gpm pump to be used in the well upon receiving a Water Permit. I told Mr. LeMere I would change the application to 20 gallons per minute.



Ken Buhler
Natural Resources Engineer

WATER PERMIT APPLICATION NO. 2506-2
ROBERT LEMERE
JULY 16, 2003

Water Permit Application No. 2506-2 proposes to appropriate 0.044 cubic feet of water per second (cfs) (20 gallons per minute) from one existing well 260 feet deep (Precambrian Crystalline Rock aquifer) located in the NW¼ NW¼ Sec. 22, T1S-R5E. The water is for commercial use.

AQUIFER: Precambrian aged Crystalline Rock (CRSL)

Geology and Aquifer Characteristics:

The completion report provided for the test well the applicant proposes to utilize for this appropriation, indicates the well was constructed in accordance with the SD Well Construction Standards. The well is completed into the Precambrian aged Crystalline Rock aquifer. The crystalline rock in this area consists of metagraywacke, quartzite and quartz-mica schist (Redden and Norton, 1975). The aquifer (crystalline rock) is exposed at the surface throughout this area, except where it is covered by alluvium along Spring Creek and its tributaries (Strobel and others, 1999). The aquifer is under unconfined conditions and the static water levels of wells in this area are probably at about the same elevation as Spring Creek. Groundwater is derived primarily through joints, fractures and foliation within the rock. The distribution, orientation and interconnection of these zones of secondary porosity and permeability are unpredictable, and the aquifer characteristics are site specific and highly variable. Recharge to the crystalline rock occurs through infiltration of precipitation and streamflow losses. Average annual recharge to the aquifer has not been quantified.

The Water Rights Program does not monitor any observation wells completed into the Crystalline aquifer in this immediate area. The nearest observation well completed into this aquifer is located in Custer, about 13 miles south-southwest of this site. Water levels in the observation well fluctuate over 50 feet in response to varying climatic conditions, rising during wet years and gradually declining water levels during dry years. The aquifer in this area should behave similarly to the aquifer in the Custer area.

Review of Existing Water Rights:

There are a number of domestic wells completed into the crystalline rock in this area and there are five Water Rights/Permits appropriating water from the crystalline aquifer within approximately one mile of this site. The water rights include:

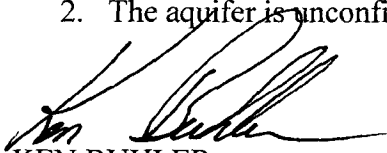
PERMIT NO	NAME	USE	CFS
2004-2	GUSTAVE A ORLOSKE	COM	0.02
2232-2	MOUNTAIN VIEW LODGE	COM	0.03
2238-2	LARRY & KAREN MOORE	COM	0.02
2246-2	GORDON W COLLINS	COM	0.02
2492-2	RUSHMORE FOREST PRODUCTS	IND	0.56

The nearest appropriations, Numbers 2232-2 and 2238-2 are located approximately one-half mile south of this well. Since the porosity of the Crystalline aquifer is small, 0.03-0.10, (Driscoll and others, 2002) drawdown from a pumped well may extend over a fairly widespread area. The distance from this well to wells supplying other appropriative rights is sufficient to negate measurable interference.

ARSD 74:02:04:20(6) defines an adequate well as a well constructed to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer. An adversely impacted domestic well is defined by ARSD 74:02:04:20(7) as a well in which the pump intake was set at least 20 feet below the top of the aquifer and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner's needs. Since the porosity of the Crystalline aquifer is low, 20 feet of saturated thickness may not be sufficient for a well to be a reliable water supply. In other words, in this hydrogeologic setting, wells that are "adequate" by definition may not be reliable water supplies. Under these circumstances it can be argued that, any measurable interference (drawdown), from a competing well is actually an adverse impact. However, with natural water level fluctuations in this aquifer measured in excess of 50 feet at the Water Rights' observation well; drawdown of a few feet could be considered insignificant.

Conclusions:

1. The Precambrian aged Crystalline Rock is a viable aquifer in this area.
2. The aquifer is unconfined and interference is not expected to be a concern.



KEN BUHLER
Natural Resource Engineer

approved by:



JAMES A. GOODMAN, P.E.
Natural Resources Engineer

REFERENCES:

- Driscoll, D.G., Carter J.M., Williamson, J.E., and Putnam, L.D., 2002, Hydrology of the Black Hills Area, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 02-4094, 1503 p.
- Redden, J.A., and Norton, J.J., 1975, Precambrian Geology of the Black Hills in Mineral And Water Resources of South Dakota: U.S. Geological Survey report to Committee on Interior and Insular Affairs, United States Senate. P. 21-32

Strobel, M.L, Jarrell, G.J., Sawyer, J.F., Schleicher, J.R., Fahrenbach, M.D., 1999, Distribution of Hydrogeologic Units in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-743, 3 sheets, scale 1:100,000

Water Rights, 2003a, Domestic Well Logs, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2003b, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2003c, Water Permit/Right Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2506-2, Robert LeMere**

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. 2506-2, Robert LeMere, 23821 Hwy 385, Hill City SD 57745.

The Chief Engineer is recommending APPROVAL of Application No. 2506-2 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 with the following qualification:

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

See report on application for additional information.

Garland Erbele, Chief Engineer
July 23, 2003

Affidavit of Publication

State of South Dakota)

)ss.

County of Pennington)

Charles W. Najacht of said county, being duly sworn, on oath says that he is publisher of the Hill City Prevaler-News, a weekly newspaper printed and published in Hill City, said County of Pennington, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein, mentioned, and was and is printed wholly or in part in an office maintained at said place of publication: that the

Three Forks Campground
Notice of Application

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once each week for 2 successive week(s), on which said newspaper was regularly published, to wit:

July 30, 2003; Aug 6, 2003;

_____, _____; _____, _____;

_____, _____; _____, _____;

_____, _____; _____, _____;

as stipulated in SDCL 17-2-2.1 through 17-2-2.4 inclusive; the full amount of the fees for the publication of the annexed notice is \$ 35.40.

Charles W. Najacht

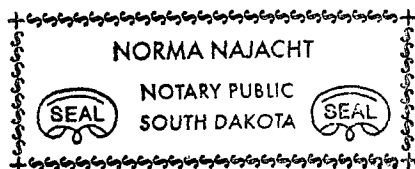
Subscribed and sworn to me before this 6

of August, 2003;

Norma Najacht

NOTARY PUBLIC

MY COMMISSION EXPIRES: May 5, 2004



NOTICE OF APPLICATION

NO. 2506-2 TO APPROPRIATE WATER

Notice is given that Robert LeMere, 23821 Hwy 385, Hill City SD 57745 has filed an application for a water permit to appropriate 0.04 cubic feet of water per second (20 gallons per minute) from one well (Precambrian-aged Crystalline Rock) 260 feet deep located in the NW1/4NW1/4 Section 22-T1S-R5E. The water is for commercial use at Three Forks Campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2506-2 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 August 18, 2003.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

#697, 7/30, 8/6

RECEIVED

AUG 21 2003

WATER RIGHTS PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

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

July 24, 2003

Robert LeMere
23821 Hwy 385
Hill City SD 57745

Dear Mr. LeMere:

Water Permit Application No. 2506-2 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 Hill City Prevalier News printed at Hill City, SD (Ph # 605-574-2538). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also 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

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

July 24, 2003

Hill City Prevailer News
PO Box 266
Hill City SD 57745-0266

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2506-2 to Appropriate Water to be published twice. Please publish the first notice on July 30, 2003 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 Robert LeMere, 23821 Hwy 385, Hill City SD (Ph # 605-574-4546).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 2506-2

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

Date _____

We are in receipt of your letter of July 24, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 2506-2 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 July 30, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2506-2 to Appropriate Water

Notice is given that Robert LeMere, 23821 Hwy 385, Hill City SD 57745 has filed an application for a water permit to appropriate 0.04 cubic feet of water per second (20 gallons per minute) from one well (Precambrian aged Crystalline Rock) 260 feet deep located in the NW ¼ NW ¼ Section 22-T1S-R5E. The water is for commercial use at Three Forks Campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2506-2 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 August 18, 2003.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



AUG 28 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Robert LeMere
23821 Hwy 385
Hill City SD 57745

Dear Mr. LeMere:

Enclosed is Water Permit No. 2506-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

2506-2

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date 5 Jun 04

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

FROM: ROBERT J. Le MERE
(name)
23821 Hwy 385
(address)
HILL CITY, SD 57745 605 574 4546
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

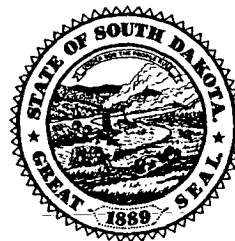
Water Permit No. 2506-2 states that the water use system is to be constructed by
AUG 18, 2008, and water is to be put to beneficial use by AUG 18, 2012.
(date) (date)

The water use system was completed on UNKNOWN.
(date)

Applying the water to beneficial use was completed on 30 JUN 04.
(date)

You may schedule an investigation so that the water license may be issued.

RJ Le MERE
(signature)



RECEIVED
JUL - 9 2004
WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

JAN 16 2008

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 2506-2

Date: 1/9/08

I/We request that Water Right/Permit No. 2506-2 formerly owned by:

Robert Lemere

be transferred to:

New Owner Name: Cheyenne River Ranchettes

Address: PO Box 905

City, State, Zip Hill City SD 57745

Telephone No. 605-574-3222

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

☒ I understand that the validity of Water Right/Permit No. 2506-2 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, Douglas L. Groves
Douglas L. Groves, the new owner, certify that the above information is true and correct.

Douglas L. Groves
(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 1/16, 20 08

RECEIVED OF Cheyenne River Ranchettes PO Box 905 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	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>2506-2</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	2 50

No.

03574

By

Garland Erbe
Chief Engineer

27



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 2008

2506-2

Douglas L Groves
Cheyenne River Ranchettes
PO Box 905
Hill City SD 57745

Dear Mr. Groves:

Thank you for sending in the ownership change for Water Permit No. 2506-2. The transfer has been completed. The water permit formerly listed in the name of Robert Lemere is now listed in the name of "Cheyenne River Ranchettes".

Enclosed is your Receipt No. 03374 in the amount of \$2.50. You may keep this for your records. 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



**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 cursive script that reads "Genny McMath".

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

enclosures

Permit No. 2506-2
Upper Cheyenne River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have on this day, 3/21/2012 thorough examination of the water use system constructed by Cheyenne River Ranchettes, PO Box 905, Hill City, SD 57745 holder of Permit No. 2506-2, bearing the priority date of May 22, 2003. Permit No. 2506-2 is authorized to appropriate a total of 0.04 cfs (20 gpm) from one groundwater well (Precambrian Crystalline Aquifer) for commercial purposes, in Pennington County.

Inspection contact and relationship to
permit holder, if applicable:

Emil Jares,

A. Works used to divert the water:

An AY McDonald submersible pump - 5 gallons per minute capacity (0.01 cfs).

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

100 feet of 2" PVC pipe.

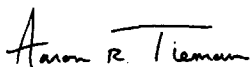
The system is in the following condition good. The point of diversion (well) is located specifically at Lat/Lon - N43.951363/W-103.513905 which is the approximately 1,390 feet south and 1,200 feet east of the NW corner of Section 22, T1S-R5E. The works are capable of diverting 0.01 cfs which is to be used for commercial purposes.

Water has been put to beneficial use to the extent of 0.01 cfs.

All structures, wells and lands on map Y

Exceptions to compliance are: none.

Comments:



Aaron Tieman
Engineer II
DENR, Water Rights Program

Date report completed: June 28, 2012

FIELD INVESTIGATION REPORT FOR TEMPORARY PERMIT NO. 2506-2

DATE OF INVESTIGATION:	March 21, 2012
NAME & ADDRESS OF PERMIT HOLDER	Cheyenne River Ranchettes PO Box 905 Hill City, SD 57745
INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Emil Jares (Owner)
DIVERSION POINT LEGAL LOCATION	SW¼ NW¼ Section 22, T1S-R5E
WATER SUPPLY SOURCE	Ground water, Precambrian Aquifer

Other permit(s) associated with the project:

WELL INFORMATION:

- 1) Well Drilling Firm: Hamm Drilling
- 2) No. of Wells One
- 3) Depth(s) 260 feet
- 4) Well log is available yes
- 5) Comment:

Casing:

- 1) Diameter: 6 inches
- 2) Length: 40 feet
- 3) Type: Steel

Screen:

- 1) Type: Open Hole
- 2) Length: N/A feet
- 3) Static water level: 30 feet

Pump:

- 1) Make: AY Mcdonald
- 2) Model: 21050J
- 3) Capacity: 5 GPM

Motor:

- 1) Make: Franklin
- 2) Model No.: 21450590
- 3) Horsepower rating: ½ hp

DISTRIBUTION LINES OR CANALS:

- 1) Type: 100 feet of 2" PVC pipe.

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Yes
- 2) All structures, wells and lands on map Yes

COMMENTS:

FIELD INVESTIGATION REPORT FOR TEMPORARY PERMIT NO. 2506-2

DATE OF INVESTIGATION:	March 21, 2012
NAME & ADDRESS OF PERMIT HOLDER	Cheyenne River Ranchettes PO Box 905 Hill City, SD 57745
INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Emil Jares (Owner)
DIVERSION POINT LEGAL LOCATION	SW¼ NW¼ Section 22, T1S-R5E
WATER SUPPLY SOURCE	Ground water, Precambrian Aquifer

Other permit(s) associated with the project:

WELL INFORMATION:

- 1) Well Drilling Firm: Hamm Drilling
- 2) No. of Wells One
- 3) Depth(s) 260 feet
- 4) Well log is available yes
- 5) Comment:

Casing:

- 1) Diameter: 6 inches
- 2) Length: 40 feet
- 3) Type: Steel

Screen:

- 1) Type: Open Hole
- 2) Length: N/A feet
- 3) Static water level: 30 feet

Pump:

- 1) Make: AY Mcdonald
- 2) Model: 21050J
- 3) Capacity: 5 GPM

Motor:

- 1) Make: Franklin
- 2) Model No.: 21450590
- 3) Horsepower rating: ½ hp

DISTRIBUTION LINES OR CANALS:

- 1) Type: 100 feet of 2" PVC pipe.

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Yes
- 2) All structures, wells and lands on map Yes

COMMENTS:



**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,

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

McMath, Genny

Subject:

FW: 2506-2

From: Tieman, Aaron

Sent: Tuesday, September 11, 2012 2:42 PM

To: McMath, Genny

Subject: RE: 2506-2

New owners, commercial sale in October 2007. New owners listed as:

Daisey Enterprise LLC

23470 Paradise Drive

Hill City, SD 57745-6013

That limited liability company is listed under:

Bill and Linda Kilcoin

Same address as above.

7 23464 Paradise Dr
Hill City
(605) 574-4023



**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

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2506-2
Date: 9/26/12

I/We request that Water Permit No. 2506-2

formerly owned by: Cheyenne River Ranchettes

be transferred to: (name & address) Daisey Enterprises, LLC dba
Three Forks Campground 23821 Hwy 385
Hill City SD 57745 Telephone No. (605) 574-

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

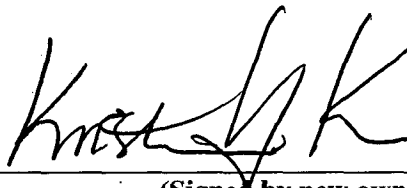
SW ¼ NW ¼ Section 22, T1S, R5E (well location)

I/We understand that the validity of Water Permit No. 2506-2 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>2506-2</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. **05595**

By *Larry E. Eide*
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

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,

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

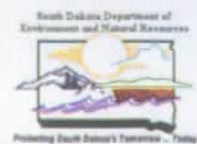
enclosures

Water Right 2506-2
Cheyenne River Ranchettes
March 21, 2012



Aaron R. Tieman

Aaron Tieman
Engineer II
DENR Water Rights Program



Approval of Location Change and/or Additional Diversion Point(s)

NAME: Daisey Enterprise LLC (formerly Cheyenne River Ranchettes)

ADDRESS: 23821 Hwy 385, Hill City SD 57745

DATE: October 1, 2012 **COUNTY:** Pennington **TELEPHONE:**

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

• **Developed water source same as permitted source and no additional water appropriated**

The water source is Precambrian Aquifer as advertised with no additional water appropriated. The diversion point was listed as being in the NW¼ NW¼ Section 22, T1S-R5E. However, during the inspection of the system on March 21, 2012 it was found that the actual location of the diversion point was located in the SW¼ NW¼ Section 22, T1S-R5E.

• **If irrigation, no new land is irrigated**

The well is utilized for commercial use for a campground and on property owned by the permit holder.

• **Review of Existing Diversions**

The actual well location is located approximately 100 feet away from the permitted well. The change in diversion point location will not affect existing diversion.

RECOMMENDED ACTION

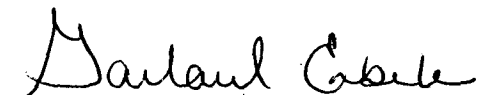
Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Aaron Tieman, Engineer II
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

OCT 29 2012

2506-2

Kristen Kilcoin
Daisey Enterprise LLC
dba Three Forks Campground
23821 Hwy 385
Hill City SD 57745

Dear Ms. Kilcoin:

Enclosed is Water License No. 2506-2. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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. 2506-2, 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

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2506-2**

(1) Robert LeMere made Application No. 2506-2, May 22, 2003 for a water permit to divert 0.04 cubic feet of water per second (20 gallons per minute) from ground water (one well – Precambrian Aged Crystalline Rock), Pennington County, South Dakota for commercial use purposes. Permit No. 2506-2, with a priority date of May 22, 2003 was approved August 18, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 18, 2008 and for the application to beneficial use of said water on or before August 18, 2012.

Ownership changes filed with No. 2506-2:

- January 16, 2008 transferred from Robert LeMere to Cheyenne River Ranchettes;
- September 28, 2012, Water Permit No. 2506-2 was transferred to Daisey Enterprise LLC dba Three Forks Campground.

The inspection of the water use system found the location of the well to be outside of the permitted area. The well was originally permitted for the NW ¼ NW ¼ Section 22 and was drilled in the SW ¼ NW ¼ Section 22, T1S, R5E. The Chief Engineer makes a finding pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that the change in location of the diversion point does not increase the potential for adverse effects to existing diversions.

(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 0.01 cubic feet of water per second (5 gallons per minute) for beneficial use.

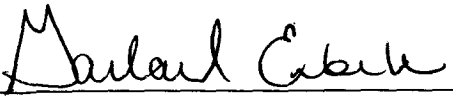
The location of the diversion point is approximately 1,390 feet south and 1,200 feet east of the NW corner of Section 22, T1S, R5E (SW ¼ NW ¼). This well is used as a backup water supply for the Three Forks Campground. The main well used for the campground is authorized under Vested Water Right No. 2159-2.

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Daisey Enterprise LLC dba Three Forks Campground, 23821 Hwy 385, Hill City SD 57745 the holder and/or owner of Water Right No. 2506-2 is issued a license to appropriate water, the right to use 0.01 cubic feet of water per second (5 gallons per minute) from ground water (one well – Precambrian Aged Crystalline Rock) with a priority date of May 22, 2003 from the location specified in (2) of this license for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2506-2 and subject to the following qualification:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 29 2012

date





**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