

Considered: _____

WATER PERMIT NO. 5068-3

MAP No. same

Name of Applicant John Hoffman-Pike Haven

Post Office Address Star Rt. A 117 Pierre, S.D.

Amount of Water Claimed 0.10 Total Acres _____

Source of Water Supply Groundwater (Springs)

Water to be used for com County Sully

About 26 miles W of Onida

PROOF OF PUBLICATION: Received 10-11-85 Not Received _____

APPLICATION: Approved 10-16-85 Subject to _____

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

PRIORITY _____ Date Received 6-20-85 Fee \$50⁰⁰ Remarks _____

6-20-85

Corrected Application Received _____ Period of Annual Use April 1 to Oct. 31

WATER QUALITY APPROVAL RECEIVED N.A. APPROVED/CONDITIONAL (Circle one)

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

Diversion Point SW⁴ SE⁴ sec. 4 T114N-R81W

Land to be Irrigated _____

	1				
	⊗				

Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS Water collected from springs
in a 2000 gal cement cistern

Type of Map SCS Soil PREPARED BY K.C. Larson Reviewed and the Number

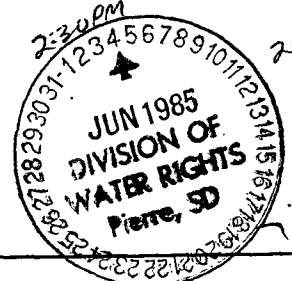
assigned on July 15, 1985 By Kevin C. Larson

No. 5068-3 Hydrologic Unit 10/30/05
 Map No. Same Basin Missouri River
 Newspaper Ouida Watchman Box 205 Thurs

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

Check use of water: Industrial ☐ Commercial ☒ Municipal ☐ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____1. Name of Applicant John J. Hoffman Phone No. 264-5465Post Office Address Star Rt A 117 Pierre SD State 57501
(Street, RR or Box) Zip Code2. Amount of water claimed (c.f.s) . 10 CFs3. Source of water supply Spring4. Location of point of diversion SW 1/4 SE 1 of sec. 4 R 81W T 114NCounty Sully5. Counties where water will be used Sully6. Annual period during which water is to be used Spring thru Fall April 1 to Oct. 31

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

This water is captured in a cistern and used to supply
 water to cabins, trailers, and campers.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map
 (see instruction)

STATE OF SOUTH DAKOTA)
 County of _____)

I, John J. Hoffman the applicant, certify that I have read
 the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and
 am able to complete the necessary construction.

Signed

Subscribed and sworn to before me this 4TH day of June 1985

Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5068-3
John Hoffman - Pike Haven Star Rt. A 117, Pierre
(Applicant) (Post Office Address)
South Dakota 57501 With the following qualifications.
(State) (Zip Code)

Date of first receipt of application June 20, 1985.
 Date of return to applicant for correction, amendments or changes required —, 19—.
 Date of receipt of corrected application —, 19—. Approved October 16, 1985.

The Water Management Board hereby approves this Water Permit No. 5068-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is June 20, 1985.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before —, 19—.
3. The whole of said work is ~~to be completed on or before~~ —, 19—.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is —, 19—.
5. The water appropriated shall be used for the purpose of Commercial water supply
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.10 cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served and to which water is actually and beneficially applied for Commercial Use on or before —, 19—; said water to be used during the following described annual period: April 1 to October 31

WATER MANAGEMENT BOARD
 By: John Hatch
Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
NOV 19 1985, 19—

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- 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 of Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:
 Pipe diameter _____

Spillway width _____

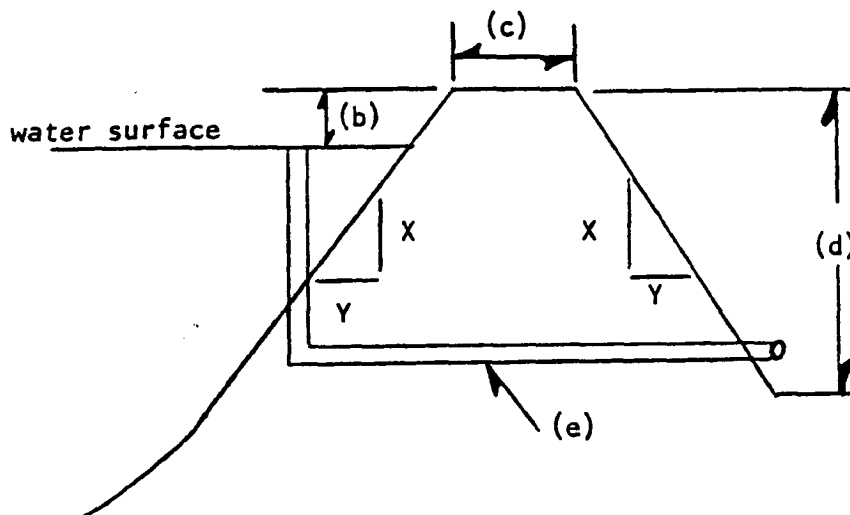
f) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

150 ft - pipeline 2" PVC

1500 gal - 2000 gal cistern

Spring

RECEIPT

Division of Water Rights

Nº 4 10085 -

South Dakota Department of Water and Natural Resources

Pierre, June 20, 1985

RECEIVED OF Pike Haven Resort, John J. Hoffman, Star Route A 117, Pierre, SD 57401

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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 Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

JOHN HATCH

July 23, 1981

Pike Haven Resort
% Lynn Hawkins
Pierre, South Dakota 57501

Dear Sir:

We are contacting all campground owners to advise them of the requirement and reasons for obtaining a water permit to use water from a well or surface supply for a commercial campground. If you obtain your water from a municipality, rural water system or other community system that already has water rights, you do not need a permit and this letter does not apply to your operation.

Enclosed are the application forms and instructions to apply for a water permit. Although State Law does require anyone using water for other than individual household domestic use or livestock watering to have a water permit, there are also several advantages to having a permit.

1. A water permit becomes a water right that entitles you to appropriate water for your commercial operation. The water right is also a property right that cannot be lost unless the water is not used.
2. In the event a large capacity well were to be authorized by a permit and pumped near your campground, you would have no protection if there were any adverse affects on your water supply. In fact, without a permit, the large capacity well owner would have seniority and you would have no rights to any water.
3. The State water rights system operates on the first in time is first in right basis. This means the senior water right has first call on the water except for domestic use. The non-domestic water user without a water right has no rights or protection in the event of water shortage conditions.

There are several commercial operations such as yours that have not established water rights. Normally there has been no problem even though the water user is operating without a permit. The reason being, the amount of water pumped is not large enough to adversely interfere with nearby domestic wells or existing rights. The difficulty occurs when we receive a legitimate complaint and it is necessary to shut down the water use operations that do not have permits. Since water use in South Dakota is increasing, the possibility of complaints or water

Pike Haven Resort
Page 2
July 23, 1981

supplies being fully appropriated is also increasing. The Water Management Board approves or denies all water permit applications. At almost each meeting, someone appears to protest an application. Upon questioning it has been determined in several cases that the person protesting is a non-domestic water user and thus he has no rights or legal standing even though he may have been using water for several years.

I would certainly suggest that you establish your water rights at this time. Such rights would provide future protection for continuing your operation and give you legal rights in the event of future large capacity well development in your area.

I believe you can get by for the one time minimum filing fee of \$150.00. Other costs will be for preparation of a map, advertising twice in the newspaper, and a one time \$50.00 final inspection fee.

If you have any questions or need any assistance, please let us know.

Very truly yours,

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

Enclosure

a73202.jh

ID# 4600699

Survey taken by DON RACHAND Survey date 8/15/84

Is system active or inactive ACTIVE

If inactive, deactivation date N/A

Deactivation reason N/A

Location of NC PWS 30 MILES NORTH OF PIERRE - EAST BANK AT MISSOURI RIVER

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

Name of NC PWS PIKE HAVEN RESORT

NC PWS mailing address STAR ATE A, BOX 117, PIERRE telephone # 264-5465

Name of Operator/Manager PAUL HOFFMAN

Owner of NC PWS SAME

Owner's mailing address SAME

Type of owner: private (☒ city () state () federal () other () 15 MAY -

County NC PWS located in SULLY Seasonal operation dates OCT.

Number of people served: Average daily 40 Peak daily 150

Comments on type of people (transient vs. permanent) TRANSIENT PLUS
1 PERM. DWELLING

Water source (well, spring, lake, river, other) 6 SPRINGS

Source name UNKNOWN

Visual inspection of water source (comments) N/A

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

Surface Area Characteristics LOCATED NEXT TO THE MISSOURI RIVER, WITH GRAVEL ROADS, LITTLE GRASS AREAS AND TREES.

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

Well depth N/A

Casing material N/A

Casing diameter N/A Height casing top above ground N/A

Grouted N/A Grouted to what depth N/A

Date of well construction N/A

Distance to: Septic tank 600 FT Disposal field 600 + FT

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

NO

Any known private sewage systems nearby NO

Any known source of contamination NO

Pump:

Well pump type N/A Capacity N/A GPM

Number of service connections 6 1-BATH HOUSE, 1-SHOP, 1-STORE
1-TRAILERS, 1-4 HYDRANTS, 1-8 RV HOOK-UPS

Pumphouse floor/ housekeeping A CLEAN AND FULL
OF TOOLS

Storage:

Size and type of storage 1,500 GALLON CONCRETE
CISTERN

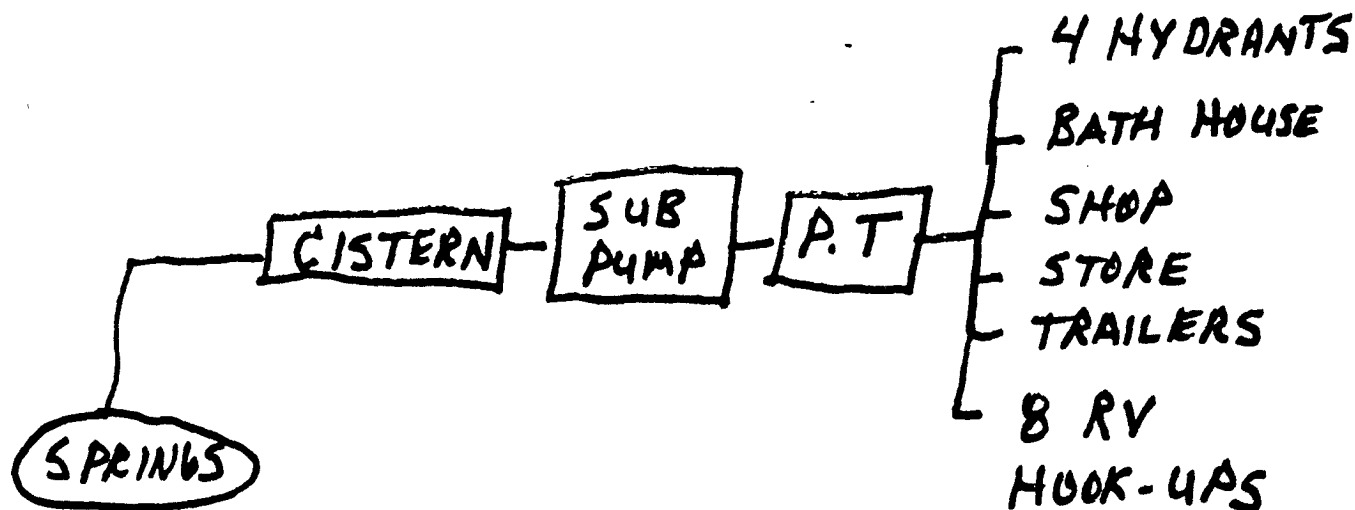
Cover/manhole conditions (overlapping cover?) YES

Overflow and vents screened NO

Distance from pits/ contamination/ drainage 300 + FT

General condition GOOD

Block diagram of system:



Short report on system:

THIS SYSTEM RECEIVES ITS WATER FROM SPRINGS WHICH FLOW BY GRAVITY INTO A CISTERN. A SUBMERCIBLE PUMP IN THE CISTERN AND PRESSURE TANK SUPPLY WATER TO THE RESORT FACILITIES. NO DISINFECTION IS USED.



Department of Water & Natural Resources

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

December 6, 1984

Pike Haven Resort
St. Rt A, Box 117
Pierre, SD 57501

Dear Mr. Hoffman:

The Division of Environmental Quality of this Department is conducting a survey of non-community public water supply systems. As a part of the survey, we have reviewed our records and we can not find any water rights on file for Pike Haven Resort.

A water permit is required pursuant to SDCL 46-1-15 to use water from a private source for commercial use. Any use of water, except for private domestic use, requires a water permit. Examples of commercial use are: truckstops, motels, restaurants, tourist attractions, commercial campgrounds and any other business operation. Examples of non-commercial use that require permits for private supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute.

If you have a water permit that has been issued under another name or if you believe a permit has been issued under another name, please contact us. We are enclosing the necessary permit application forms and instructions, if you need a permit. Please complete and submit with a (see instructions) filing fee.

An existing business without a water right has no right to the use of water. Except for private domestic use, any water user without a water right is not entitled to receive protection in the event of well interference by a new or future user who has a water right. The new user with a water right will have the senior priority over an existing user without a water right. In South Dakota, the first in time (senior priority) is the first in right, except for individual domestic use. Individual household, farm or ranch use does not require a permit and has preference over all other users of water.

If you have any questions or need assistance with completion of the forms, please feel free to contact us.

Sincerely,

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

Enclosures



Department of Water & Natural Resources

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

April 25, 1985

NOTICE

Pike Haven Resort
St Rt A, Box 117
Pierre, South Dakota 57501

Dear Mr. Hoffman:

December 6, 1984 we notified you that State Law requires that a water permit be obtained for any use of water from a private source for use in a business operation. We have not heard from you on this. Failure to comply with State Laws--SDCL 46-1-6(6), 46-1-15, 46-5-8.2, 46-5-9, and 46-5-10 and Water Management Board Rule ARSD 74:02:01:03--can result in an order to stop water use until an application for a water permit has been submitted and approved.

If you have questions or need another set of permit applications forms or if you believe you already have the required water permit or need assistance in completing the forms, feel free to contact us. Please submit the completed application forms prior to June 25, 1985.

Sincerely,

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

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

S519.WR

REPORT ON WATER PERMIT APPLICATION No. 5968-3

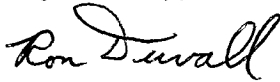
JOHN HOFFMAN - PIKE HAVEN

August 5, 1985

Application No. 5068-3 proposes to divert .10 cfs from six springs for commercial purposes. The springs are located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, T114N, R81W. Diversions flow by gravity to a cistern for storage purposes. A submersible pump in the cistern and a pressure tank supply flows to the resort facilities.

The source for the springs is Glacial Outwash (Qwo) also called terrace gravel. Local precipitation becomes trapped in the terrace gravel due to less permeable underlying shale formations. Springs result where the water table is exposed at land surface usually a draw or topographic low area.

The Missouri River is the water source for nearby water rights. Beneficial use of the springs for commercial use will not affect the existing water rights. Application No. 5068-3 can be approved.



Ron Duvall
Natural Resources Engineer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 5068-3 - John Hoffman-Pike Haven Resort

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5068-3, John Hoffman-Pike Haven Resort, Star Route A 117, Pierre, South Dakota 57501.

The Chief Engineer is recommending APPROVAL of the Application No. 5068-3 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 attached report for additional information.

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

JOHN HATCH, Chief Engineer
August 9, 1985

No. 5068-3

Instruction to Newspaper - Publish first publication of the following Notice on or before August 29, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5068-3 to Appropriate Water
and/or to Amend Water Permit or Water Right No. _____

Notice is hereby given that John Hoffman, Pike Haven Resort whose mailing address is
Star Route A 117, Pierre, South Dakota has made an application for a permit

to appropriate 0.10 cubic feet per second from six springs located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, T114N-R81W. The water is collected in a cistern and used to supply a resort.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5068-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Howard Johnson,
Nebraska Room, 3300 W. Russell, Sioux Falls, SD, October 16 1985 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by October 4, 1985. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15:02 thru 74:02:01:15:05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by October 4, 1985.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Sully)

Parker Knox, of said County and State, being first duly sworn on his oath says, that THE ONIDA WATCHMAN is a weekly newspaper of general circulation, published in the English language in the City of Onida, in said County and State, by said Parker Knox, and has been admitted to the United States mail under the second class mailing privilege at all of the times hereinafter mentioned, and for more than one year immediately preceding the first publication herein mentioned, and that all of said times has had more than 200 bona fide paid subscribers; that I, the undersigned am the publisher of said newspaper in charge of the advertising department thereof and have personal knowledge of all the facts stated in the affidavit; and that the advertisement headed:

Notice of Hearing

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive issues, the first publication being made on THURSDAY, the 22 day of Aug. 19 85 and the last publication on THURSDAY, the 29 day of Aug. 19 85, and that \$ 35.38, being the full amount of the fee for publication of the annexed notice inures solely to the benefit of the publishers of said newspaper; that no arrangement or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any other person whomsoever.

Parker Knox

(SEAL)

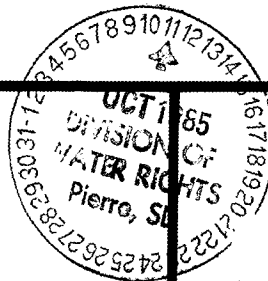
Subscribed and sworn to before me this

10th day of October 19 85

Dianna Knox

My Commission
expires 10/1/89

Notary Public In and For Sully County, South Dakota



NOTICE OF HEARING on Application No. 5068-3 to Appropriate Water

Notice is hereby given that John Hoffman-Pike Haven Resort whose mailing address is Star Route A 117, Pierre, South Dakota has made an application for a permit to appropriate 0.10 cubic feet per second from six springs located in the SW 1/4 SE 1/4 Section 4, T114N-R81W. The water is collected in a cistern and used to supply a resort.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends approval of Application No. 5068-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Howard Johnson, Nebraska Room, 3300 W. Russell, Sioux Falls, SD, October 16, 1985 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by October 4, 1985. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-1A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15;

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg., Pierre, SD (605-773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by October 4, 1985.



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

NOV 19 1985

John Hoffman
Pike Haven
Star Rt A, 117
Pierre SD 57501

Dear Mr. Hoffman:

Enclosed is your Water Permit No. 5068-3 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

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

JOHN HATCH, Chief Engineer
Water Rights Division

JH:kb

enclosure

Permit No. 5068-3
Missouri River - Water District

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

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

I have this day made a thorough examination of the water use system constructed by John J. Hoffman of Star Rt. A Box 117, Pierre, SD 57501 holder of Permit No. 5068-3, bearing the priority of June 20, 1985 authorizing the diversion of 0.10 cu. ft. per second of the waters of springs from the Glacial Outwash for commercial purposes, in Sully County.

I have to report on the conditions of the same as follows:

- A. Works used to divert the water:
Four foot cnp 30 feet long set vertical to collect water and tile pipe.
A 200 gallon cistern with a Franklin stainless steel submersible pump and motor capable of 45 gpm.
- B. Works used to transport water to place of use:
225 feet of 2 inch pipe and 140 feet of 1 inch pipe. One inch to .75 inch pipe to hookups.
- C. Works used to apply water to beneficial use:
Used for 10 trailer and rv hookups, bait shop, bath house and 4 hydrants.

The system is in the following condition good. The points of diversion is located 790 feet N and 640 feet E and 900 feet N and 500 feet E of the S 1/4 corner of Section 4, T114N, R81W. The works are capable of diverting and conveying to the place of use 0.10 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 as follows:

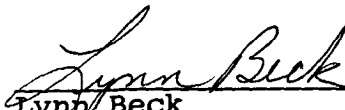
10 trailer and rv hookups, bait shop, bath house and 4 hydrants.
and the license should be issued for 0.10 cfs.

Applicable permit qualifications have been complied with: ☒ Yes ☐ No

Exceptions to compliance are: none Date: 7-27-95

Comments:

Water is collected from six springs in a 2000 gallon cistern.



Lynn Beck
Natural Resources Engineer
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 5068-3

DATE: 7-24-95

Other permit(s) associated with the project:

DIVERSION POINT LEGAL LOCATION: Springs location #1: 790 feet N and 640 feet E and Springs location #2: 900 feet N and 500 feet E of the S 1/4 corner Section 4, T114N, R81W which is in the SW 1/4 SE 1/4 Section 4.

DISTRIBUTION LINES OR CANALS:

1) Type pvc 2) Size 2 inches 3) Length 225 feet

1) Type pvc 2) Size 1 inches 3) Length 140 feet

One inch to 0.5 inch from 200 gallon cistern to 10 trailer and rv hookups, bait shop, bath house and 4 hydrants.

PERMIT QUALIFICATIONS AND REGULATIONS:

1) Special qualifications to permit being abided by Y

2) All structures, wells and lands on map Y



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 3, 1995

5068-3

John J. Hoffman
Pike Haven
HC 37, Box 117
Pierre, SD 57501

Dear Mr. Hoffman:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 5068-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 15, 1996

SECOND NOTICE
Permit No. 5068-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

John J. Hoffman
Pike Haven
HC 37, Box 117
Pierre, SD 57501

Dear Mr. Hoffman:

On November 3, 1995, you were notified the final inspection fee of \$50.00 is due before Water License No. 5068-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

According to South Dakota Water Law 46-5-30.1, you may not divert water until the License fee is paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

5068-3

4a. Article Number

Z 161 984 014

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-16-96

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 ★U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

5068-3

Pike Haven Resort

~~27645 Pike Haven pl -~~
~~Star Route A-117~~ Pierre, South Dakota 57501

Phone (605) 264-5465



Owners:

John & Nancy Hoffman

Gene & Alice Paul

John Hatch

I'm sending you a check for 50.⁰⁰
As far as I know we never received
the first notice. But now we will have
it taken care of. Thank you -
we will be expecting Water License



Pike Haven Resort
27645 Pike Haven place
Pierre, S.D. 57501

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5068-3

(1) John J Hoffman dba Pike Haven Resort of 27645 Pike Haven Place, Pierre, SD 57501 made Application No. 5068-3, June 20, 1985 for a water permit to appropriate 0.10 cubic feet of water per second from springs, Sully County, South Dakota for commercial purposes. Permit No. 5068-3, with a priority date of June 20, 1985 was approved October 16, 1985 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of water completed.

(2) It is certified that the applicant 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 0.10 cubic feet of water per second for beneficial use. The location of the springs are as follows: 790'N and 640'E of the S 1/4 corner and 900'N and 500'E of the S 1/4 corner, all in Section 4, T114N, R81W (SW 1/4 SE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. Water is collected from six springs in a 2000 gallon cistern and used for 10 trailer and RV hookups, in a bait shop, bath house and 4 hydrants.

(4) Pursuant to South Dakota Water Law 46-5-30.1 John Hoffman dba Pike Haven Resort of 27645 Pike Haven Place, Pierre, SD 57501 the holder and/or owner of Water Permit No. 5068-3 is issued a license to appropriate water, the right to use 0.10 cubic feet of water per second from springs with a priority date of June 20, 1985 from the location specified in (2) of this license. The water is to be used for commercial purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 5068-3 and subject to South Dakota State Law.



John Hatch, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

APR 4 1996

date



RECEIPT

414797

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ February 20, 19 96

RECEIVED OF Pike Haven Resort, 27645 Pike Haven Place, Pierre, SD 57501

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. <u>5068-3</u>	50	00
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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 4 1996

5068-3

John Hoffman
DBA Pike Haven Resort
27645 Pike Haven Place
Pierre, SD 57501

Dear Mr. Hoffman:

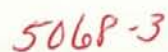
Enclosed is Water License No. 5068-3 and Receipt No. 414797 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 5068-3 is the final document which completes the process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

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

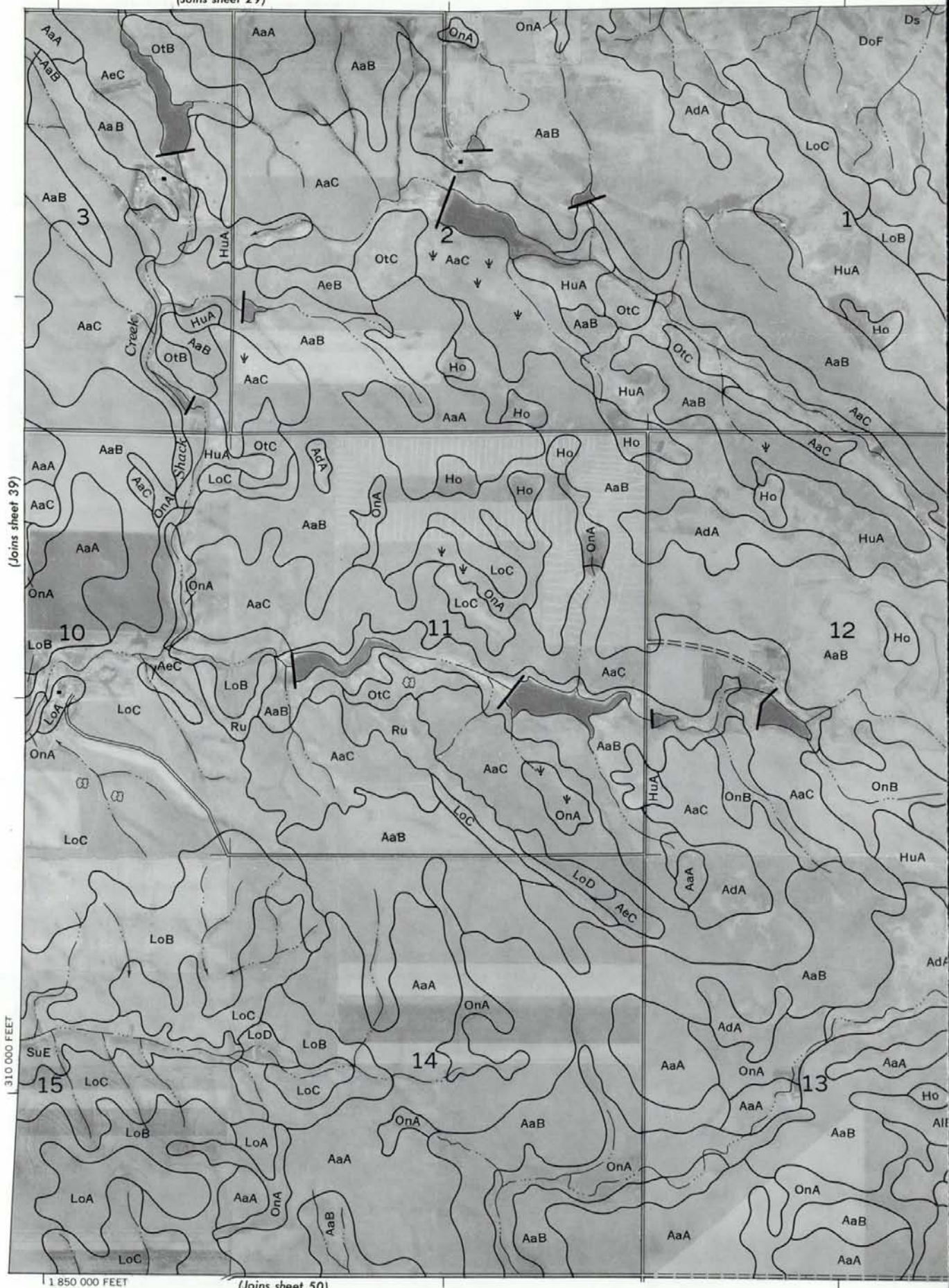
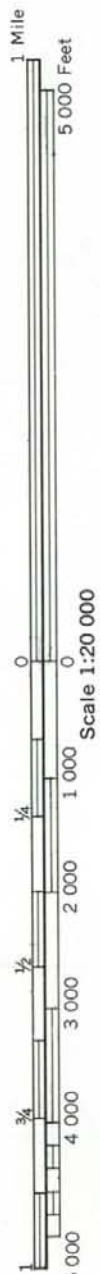
gm
enclosures



40



(Joins sheet 29)



1 850 000 FEET

(Joins sheet 50)

NOT TO SCALE

T-3115 Jack
Jay Alexander

2601
Barbara
Fred McQuistion

Prepared by:

Lynn Beck

Lynn Beck
Natural Resources Engineer
Water Rights Program, DENR
7-27-95



T-614
Fred
McQuistion

T-615
Fred McQuistion
License
No. 5068-3