

**WATER PERMIT NO. 6849-3**

Name of Applicant: Mike Harmening

Address: 14144 SD Hwy 109, Big Stone City SD 57216

Phone: 605 862-7650

Amount of Water Claimed: 0.078 cfs

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial

County: Roberts

Type of Waste Disposal System:

Location: 3 miles north of Big Stone City

PRIORITY

Date Received: 3-28-07

Application/License Fee: \$100

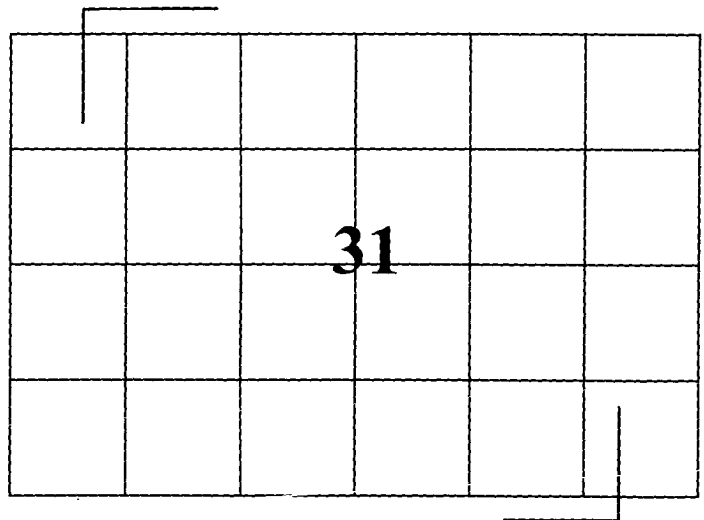
Corrected Application Received: 4-12-07

Period of Annual Use: Jan 1 – Dec 31

Remarks: for use at a proposed campground

Diversion Point: SW ¼ NW ¼ Sec 31-T122N-  
R46W

Land to be Irrigated: NA



Depth of Well: 130 feet deep

Well Driller: : Lee Well Drilling

Remarks:

Type of Map: aerial

Prepared by: Kent w/ Roberts Co FSA

Reviewed and the Number Assigned on: 4-16-07

By: **Karen Schlaak**

Notice of Hearing - date to intervene: \_\_\_\_\_

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

|                                                                                                                    |                                               |                                                      |
|--------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|------------------------------------------------------|
| Mail to:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | No. <u>6849-3</u>                             | (office use only)<br>Hydrologic Unit <u>07020001</u> |
|                                                                                                                    | Basin <u>Minnesota Whetstone</u>              |                                                      |
|                                                                                                                    | Newspaper <u>Wilmot Enterprise P.O. Box 6</u> |                                                      |
|                                                                                                                    | <u>605-938-4651</u>                           | <u>Wilmot 52279</u>                                  |

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

Check use(s) of water:

|                                                            |                                                |                                          |                                          |
|------------------------------------------------------------|------------------------------------------------|------------------------------------------|------------------------------------------|
| <input type="checkbox"/> Municipal                         | <input type="checkbox"/> Suburban Housing      | <input type="checkbox"/> Recreational    | <input type="checkbox"/> Institutional   |
| <input type="checkbox"/> Rural Water System                | <input checked="" type="checkbox"/> Commercial | <input type="checkbox"/> Fish & Wildlife | <input type="checkbox"/> Geothermal Heat |
| <input checked="" type="checkbox"/> Domestic (over 18 gpm) | <input type="checkbox"/> Industrial            | <input type="checkbox"/> Other           |                                          |

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

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

- Name of Applicant Mike Harmening Phone 605 862 7650  
(check one) ☒ Owner ☐ Tenant/lessee  
Mailing Address 14144 SD Hwy 109 Bigstone City State SD  
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed NA 0.078\*CFS or 35 \*\*GPM NA \*\*\*AF  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)  
SE 1/4 Sec 31 Twp 122-N1 R9 46W  
SW 1/4 NW 1/4 County Roberts
- County or counties where water will be used Roberts
- Annual period during which water is to be used Jan 1 - Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

\* For use at a proposed Campground

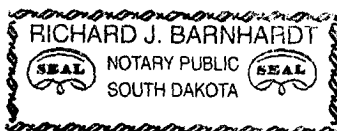
STATE OF SOUTH DAKOTA)  
County of Roberts ) SS

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, Mike Harmening, 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 \_\_\_\_\_

Subscribed and sworn to before me this 22nd day of March 20 07



Richard J. Barnhardt  
Notary Public signature

**SOUTH DAKOTA  
WATER PERMIT NO. 6849-3**

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Date of first receipt of application March 28, 2007.

Date of return to applicant for corrections, amendments or changes March 28, 2007.

Date of receipt of corrected application April 12, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6849-3 to Mike Harmening, 14144 SD Hwy 109, Big Stone City SD 57216 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. 6849-3 appropriates 0.078 cubic feet of water per second (35 gallons per minute) from one well completed into the Greenhorn Limestone (130 feet deep) located in SW ¼ NW ¼ Section 31-T122N-R46W.
2. The water appropriated shall be used for the purpose of commercial use at a 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. 6849-3 is July 2, 2007.
5. The date from which applicant may claim right is March 28, 2007.
6. One-fifth of the construction is to be completed on or before January 2, 2010.
7. All construction is to be completed on or before July 2, 2012.
8. Water is to be put to beneficial use on or before July 2, 2016.
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.

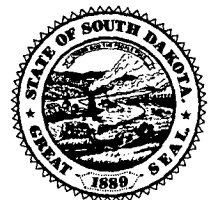
**WATER MANAGEMENT BOARD**

By: Garland Erbele

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

AUG 01 2007

date



## Supplemental Information

(type or print in ink)

### 1. Well Information - Proposed Construction

- a) Drill Hole Diameter 9" Depth 130'
- b) Casing Type plastic Diameter 5" Thickness SDR-21
- c) Screen Type Manufactured PVC Diameter 4" P.S. Thickness SDR-21
- d) Gravel Pack #45 coarse washed Length of Gravel Pack 110
- e) Depth to Top of Water Bearing Material 110
- f) Depth to Water (ground surface to water level) 18
- g) Distance to nearest existing domestic well:
- On applicants property None On property owned by others over 1 mile

### 2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) 3 septic tank, lift station, drain field
- b) System Capacity (gallons) 75 GPD per site Year Constructed 2006
- c) Connected to the City of NA Sanitary System NA

### 3. Dugout Information

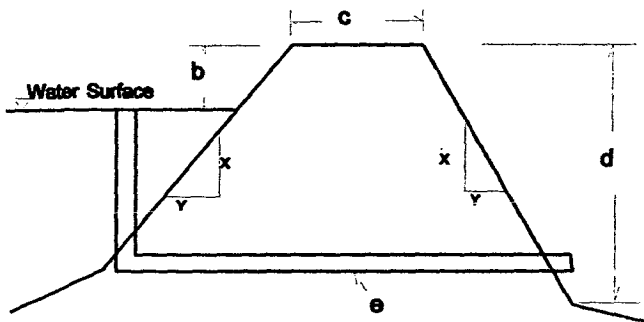
- a) Surface Dimensions NA Depth \_\_\_\_\_
- b) Depth to water (ground surface to water level) NA

### 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



**USDA** U.S. Dept. of Agriculture  
Farm Service Agency



## South Dakota Roberts County

31-122N-46W  
NOT TO SCALE

NO OFFICIAL WETLAND DETERMINATIONS

### Legend

- Wetlands
- Tract Boundaries
- Section-Township-Range
- Easements
- CRP
- Common Land Units
- Rangeland

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2004 ortho rectified imagery for South Dakota. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside of FSA Programs.

March 30, 2006

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/28, 20 07

RECEIVED OF CAMPING 109 MIKE HARMENING 14144 SD HWY 109 BIG STONE CTY SD 57216

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

|                                                                                                                         |       |        |
|-------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>10849-3</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>10849-3</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.

**03015**

By

*Laurel Erbele*  
Chief Engineer

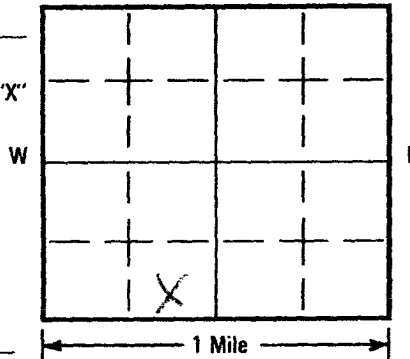
## SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 SW 1/4 Sec 31 Twp 122-N Rg 46-W  
County Roberts North

Please mark well location with an "X"

Well Completion Date

7/12/06

## LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 120 ft. from septic tank (identify source).

## PROPOSED USE:

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

## METHOD OF DRILLING:

Forward RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe \_\_\_\_\_

| PIPEWEIGHT          | DIAMETER    | FROM        | TO            | HOLE DIAMETER |
|---------------------|-------------|-------------|---------------|---------------|
| <u>SDP-21 LB/FT</u> | <u>5 IN</u> | <u>0 FT</u> | <u>120 FT</u> | <u>9 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>Non-Fement</u> |              | <u>15 lb./gal</u>  | <u>0 ft</u>  | <u>25 ft</u>  |
| <u>H.S. Bent</u>  |              | <u>9.4 lb./gal</u> | <u>25 ft</u> | <u>110 ft</u> |

Describe grouting procedure \_\_\_\_\_

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 4" P.S. IN Length 10 FEETMaterial PVCSlot Size 30 Set From 120 Feet to 130 FeetOther information cap on bottomWAS 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\_\_\_\_\_  
NO, Why Not? \_\_\_\_\_

Laboratory sent to for water quality analysis

L.B. Water LabWell Owner: Mike & Suzie Harmoning

Business Name: \_\_\_\_\_

Address: 14144 SD Hwy 109  
Big Stone City SD 57216

## WELL LOG:

| FORMATION                        | DEPTH      |            |
|----------------------------------|------------|------------|
|                                  | FROM       | TO         |
| <u>topsoil</u>                   | <u>0</u>   | <u>2</u>   |
| <u>Rocks &amp; Yellow clay</u>   | <u>2</u>   | <u>21</u>  |
| <u>Blue clay</u>                 | <u>21</u>  | <u>98</u>  |
| <u>Brown clay</u>                | <u>98</u>  | <u>110</u> |
| <u>Sandrock (Greenish) light</u> | <u>110</u> | <u>130</u> |
| <u>Shale dark</u>                | <u>130</u> |            |
|                                  |            |            |
|                                  |            |            |
|                                  |            |            |

STATIC WATER LEVEL 18 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:

☒ PumpedDescribe: Air Compressor☐ Bailed☐ Other

Pumping Level Below Land Surface

50 ft. After 2 Hrs. pumped 125 GPM

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate \_\_\_\_\_ GPM

## REMARKS

42-Hard  
0.5-Fe  
No H<sub>2</sub>SThis well was drilled under license # 63

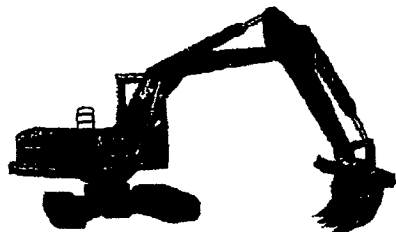
And this report is true and accurate.

Drilling firm Lee Well Drilling Inc.

Signature of License Representative: \_\_\_\_\_

Signature of Well Owner or Equitable Property Holder: \_\_\_\_\_

Date: 7/12/06



**Proposal From:**

**HILLMAN BROS. EXCAVATING**

68393 430th Street

Odessa, MN 56276

**Telephone: (320) 273-2277**

**Fax: (320) 273-2239**

**DATE: 6/12/2006**

Proposal Submitted To:

Work To Be Performed At:  
same address

**Mike & Sue Harmening**  
141444 SD Hwy 109  
Big Stone City, SD 57216  
Telephone: (320) 304-0433

We hereby propose to furnish all the materials and perform all the labor necessary for the completion of:

**Install Water & Septic System for Proposed Campground**

*40 Sites - Septic System Based on 75 GPD per Site, Clay Loam Soil Water Perk Rate of approx. 45 MPI*

**Water**

|        |                       |
|--------|-----------------------|
| 1650ft | 2" Water Main         |
| 40     | 2" Tapping Saddles    |
| 40     | Yard Hydrants         |
|        | Fittings, Clamps, etc |
|        | Installation          |

**Septic System**

|        |                            |
|--------|----------------------------|
| 1400ft | Gravelless Drainfield Pipe |
| 3      | Septic Tanks               |
| 1800ft | 4 sch40 Pipe               |
|        | Fittings                   |
| 2      | Pumps                      |
| 1      | Duplex Controller          |
|        | Lift Station               |
|        | 2" Pressure Line           |
| 28     | 10" Gravelless Caps        |
| 200ft  | 4" SDR 35 Pipe             |
| 14     | Drop Boxes                 |
|        | Installation               |

*Note: This proposal does not include electrical wire or wiring the Lift Station.*

Respectfully Submitted

Duane Hillman, owner



1308 Hawthorne Street  
Alexandria, MN 56308  
E-mail: lbwater@rea-alp.com

## WATER TEST REPORT

**Name:** Harmening, Mike & Suzy **Collected by:** Lee Well Drilling, Inc.  
**Address:** **Date Collected:** 07/12/2006  
**City:** Big Stone City **Time Collected:** 5:00 pm  
**State:** South Dakota **Sample Location:**  
**Zip Code:** **Sample Number:** 77106  
**Ordered by:** Lee Well Drilling, Inc. **Unique Well Number:** 0  
**Driller Number:** 26572

| ANALYSIS                 | METHOD                    | TEST RESULTS |
|--------------------------|---------------------------|--------------|
| Total Coliforms Bacteria | Idexx P/A                 | Absent       |
| Nitrate Nitrogen         | SM500-NO <sub>3</sub> D * | < 0.29 ppm   |

< = less than

### Minnesota Department of Health Standards for Drinking Water:

Total Coliform Bacteria: Absent  
Nitrate Nitrogen: less than 10.0 ppm

This water sample **DOES** meet Minnesota and US Health Standards for the above:

Approved by:

Melinda Mason  
Date: 07/14/2006

Comments:





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

February 15, 2007

Mike & Suzy Harmening  
14144 SD Hwy 109  
Big Stone City SD 57216

Dear Mr. & Mrs. Harmening:

I am writing in regard to a well driller's report filed by Lee Well Drilling, Inc.. The report shows a new well has been completed on September 14, 2006. The form indicates the proposed use is for a business. Based on this information, you may need a water permit for this water use.

1. According to state law, a water permit is needed for any water use except for reasonable, private domestic use. Examples of commercial uses that require a water rights permit are: truckstops; motels; restaurants; bars; clubs; tourist attractions; campgrounds or any other business operation.
2. Also, as a new well owner, you need to be aware of some of your responsibilities. Enclosed is a copy of "Well Owner Responsibilities". Please review these responsibilities to ensure you are complying with all of the requirements.

Enclosed are application forms and instruction sheet to apply for a water permit. The completed forms with the application fee and map can be returned to: Water Rights Program, 523 E. Capitol, Pierre, SD 57501. Please respond by April 1, 2007.

If you believe your water use does not require a water permit or that you have an existing permit, or if help is needed completing the application forms, please contact Ron Duvall or me at (605) 773-3352. We will be happy to assist you in any way possible.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Water Rights Program  
[karen.schlaak@state.sd.us](mailto:karen.schlaak@state.sd.us)

enclosures



March 28, 2007

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/dennr](http://www.state.sd.us/dennr)

RECEIVED  
APR 12 2007  
WATER RIGHTS  
PROGRAM

Mike Harmening  
14144 SD Hwy 109  
Big Stone City SD 57216

Dear Mr. Harmening:

Thank you for submitting the *Application for a Permit to Appropriate Water Within the State of South Dakota*. In order to complete the application the following is required.

- Please submit a map showing the location of the well in relation to a government section corner or quarter corner by direction and distance is required. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties. Our suggestion is to obtain an aerial photo map from the Roberts County Natural Resources Conservation Service office. Someone from the office will be qualified to sign the map.
- From the information submitted with the application, it appears this well is for domestic use as well as commercial use at a proposed campground. Is this a correct assumption?

yes

If you have any questions, please contact me.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Water Rights Program  
605 773-3352  
[karen.schlaak@state.sd.us](mailto:karen.schlaak@state.sd.us)

## **Water Rights Program - File Documentation**

**NAME:** Mike Harmening

**ADDRESS:** 14144 SD Hwy 109, Big Stone City SD 57216

**DATE:** 4-16-07      **COUNTY:** Roberts      **TELEPHONE:** 605 862-7650

**RE:** Pending appliation

### **COMMENTS:**

I called Mike Harmening to clarify the legal description on his application. Mr. Harmening stated the location on the map is correct. The guy from FSA office came out and verified the location represented on the map. Mr. Harmening agreed the application should indicate the well location as the SW ¼ NW ¼ Section 31-T122N-R46W.



Karen Schlaak  
Environmental Scientist



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 6849-3, Mike Harmening**

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. 6849-3, Mike Harmening, 14144 SD Hwy 109, Big Stone City SD 57216.

The Chief Engineer is recommending APPROVAL of Application No. 6849-3 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) it is in the public interest with the following qualification:

1. 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  
June 4, 2007

REPORT ON WATER PERMIT NO. 6849-3  
For Mike Harmening  
May 29, 2007

Application No. 6849-3 proposes to appropriate 0.078 cfs (35 gpm) from one well approximately 130 feet deep located in the SW ¼ NW ¼ of section 31, T122N R46W in Roberts County. The water is for commercial use in a campground.

AQUIFER – GREENHORN LIMESTONE (GRNR)

The Greenhorn Limestone consists of fossiliferous, buff to bluish, white, or gray calcareous shale; and locally may contain beds and lenses of sandstone (Thompson, 2001). According to area test wells and the Roberts County study the thickness of the Greenhorn Limestone should be about 50 feet. The Greenhorn is not normally considered an aquifer but apparently yields water to wells in this area and contains water under artesian conditions. The driller's log filed with this application shows sandrock from 110 feet to 130 feet below land surface. This log description fits with surrounding subsurface geologic information and appears to match up with the Greenhorn Formation as described in the Thompson report.

The well as completed was capable of producing 125 gpm using air to develop and had a static water level of 18 feet below land surface. The well as completed is in accordance with SD Well Construction Standards.

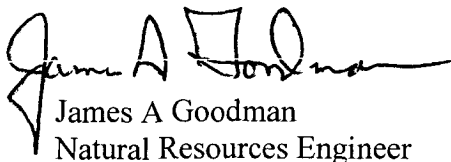
The Water Rights Program does not monitor any observation wells completed into the Greenhorn Limestone. No historical water level data is available for this formation in this area. There are other permitted users from the Greenhorn Limestone in southeastern Roberts County (Water Rights, 2007).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water permit/right that obtains water from this source is located over five miles to the northwest of this site. Well interference is not a concern. At this distance between wells and with the relatively small pumping rate drawdown should not be significant.

CONCLUSIONS

1. Water is available for the aquifer  
The well is capable of producing the amount of water requested. The diversion rate is small and even though the aquifer is under artesian conditions, drawdown should not be significant.  
Interference is not a concern.
2. The identification of the Greenhorn Limestone as the water source is not important. If additional information becomes available at a later date indicating another source that is fine. For the time being, the name Greenhorn Limestone will suffice as the ground water source.

  
James A Goodman  
Natural Resources Engineer

## BIBLIOGRAPHY

Thompson, R.F., 2001, Water Resources of the Lake Traverse Reservation, South and North Dakota, and Roberts County, South Dakota, Water Resources Investigations Report 01-4219, USGS, Rapid City, SD, 57702

Water Rights, 2007, Water Right Permit Files, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

RECEIVED

JUN 25 2007

Form 8

WATER RIGHTS  
PROGRAM

# PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )

County of Roberts ) SS

I, Daney Gimmel

certify that the attached printed Notice was taken

from the Wilmot Enterprise

printed and published in Wilmot

County of Roberts and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 14, 2007

June 21, 2007

Cost of Printing 38.34

Daney Gimmel  
(Signature)

Owner  
(Title)

6/21/07  
(Date Signed)

June 14, 2007, The Wilmot Enterprise, Page 9

## Public Notice . . .

### NOTICE OF APPLICATION NO. 6849-3 to

#### Appropriate Water

Notice is given that Mike Harmening, 14144 SD Hwy 109, Big Stone City, SD 57216 has filed an application for a water permit to appropriate 0.078 cubic feet of water per second (35 gallons per minute) from one well completed into the Greenhorn Limestone (130 feet deep) located in SW1/4 NW1/4 Section 31-T122N-R46W. The water is for commercial use at a campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6849-3 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 these applications, 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 this 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 recommendations 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 July 2, 2007.

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.

(June 14 & 21, 2007)



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

June 6, 2007

Wilmot Enterprise  
PO Box 6  
Wilmot SD 57279

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6849-3 to Appropriate Water to be published twice. Please publish the first notice on June 14, 2007 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Mike Harmening, 14144 SD Hwy 109, Big Stone City SD 57216 (Ph # 605-862-7650).

**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. 6849-3

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

Date \_\_\_\_\_

We are in receipt of your letter of June 6, 2007 enclosing Notice to Appropriate Water by Application No. 6849-3 which was first published in our issue of \_\_\_\_\_. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
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[www.state.sd.us/denr](http://www.state.sd.us/denr)

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

June 6, 2007

Mike Harmening  
14144 SD Hwy 109  
Big Stone City SD 57216

Dear Mr. Harmening:

Water Permit Application No. 6849-3 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Wilmot Enterprise printed at Wilmot SD (Ph # 605-938-4651). 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 report on the application is 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 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. 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 applications.

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.

Instruction to Newspaper - Publish first Notice on June 14, 2007 with the second publication 7 days later. The applicant is responsible for payment.

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NOTICE OF APPLICATION NO. 6849-3 to Appropriate Water

Notice is given that Mike Harmening, 14144 SD Hwy 109, Big Stone City SD 57216 has filed an application for a water permit to appropriate 0.078 cubic feet of water per second (35 gallons per minute) from one well completed into the Greenhorn Limestone (130 feet deep) located in SW ¼ NW ¼ Section 31-T122N-R46W. The water is for commercial use at a campground.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6849-3 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 these applications, 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 this 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 recommendations 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 July 2, 2007.

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.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

AUG 01 2007

Mike Harmening  
14144 SD Hwy 109  
Big Stone City SD 57216

Dear Mr. Harmening:

Enclosed is Water Permit No. 6849-3 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

AUG 30 2010

WATER RIGHTS  
PROGRAMNOTICE OF COMPLETION OF WORKS AND  
APPLICATION OF WATER TO BENEFICIAL USEDate Aug 26, 2010TO: Water Rights Program, DENR  
523 E. Capitol  
Pierre, SD 57501-3181FROM: Sue Harmering  
(name)  
14144 SD Hwy 109  
(address)  
Big Stone City, SD 57216 605-862-7650  
(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.

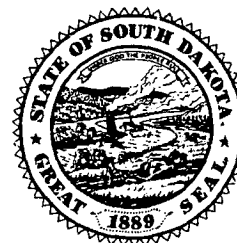
Water Permit No. 6849-3 states that the water use system is to be constructed by July 2, 2012, and water is to be put to beneficial use by July 2, 2016.  
(date) (date)

The water use system was completed on 9-14-06.  
(date)

Applying the water to beneficial use was completed on 8-19-08.  
(date)

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

Sue Harmering  
(signature)





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 30, 2010

6849-3

Mike and Sue Harmening  
14144 SD Hwy 109  
Big Stone City SD 57216

Dear Mr. & Mrs. Harmening:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your water use system.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

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

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

Permit No. 6849-3  
Minnesota-Whetstone - Water District

Contact Person & Address: Nate Harmening, 14144 SD Hwy 109, Big Stone City SD 57216

**Report of Examination of Works**

On, August 30, 2016, I made a thorough examination of the water use system constructed by Mike Harmening holder of Permit No. 649-3, bearing the priority of March 28, 2007 authorizing the diversion of 0.078 cu. ft. per second of the waters of ground water (Greenhorn Limestone) for commercial use at a campground purposes, in Roberts County.

The system is in the following condition good. The point of diversion is located from the NW corner of Sec 18 T122N-R46W; 1942 ft South and 403 ft East with latitude of 45.33543 and a longitude of -96.49224 as determined using GPS. The works are capable of diverting and conveying to the place of use 0.078 cu. ft. per second (35 gpm) of water which is to be used for commercial use. Water has been put to beneficial use and the license should be issued for 0.078 cfs.

**Review of Permit Qualifications And Regulations:**

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Exceptions to compliance are: none

**Report On the Specifics of the System**

**Diversion Point Information:**

**Well Information:**

- 1) Well Drilling Firm: Lee Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 130 feet
- 4) Well log is available yes

**Casing:**

- 1) Diameter 5 inches
- 2) Length 120 feet
- 3) Type pvc

**Screen:**

- 1) Type pvc
- 2) Length 10 feet
- 3) Static water level 18 feet

**Pump:**

- 1) Make Monitor
- 2) Model submersible
- 3) Size NA
- 4) Capacity 35 GPM

**Motor:**

- 1) Make Franklin
- 2) Model No. 2801084915
- 3) Horsepower rating 1 hp

**DISTRIBUTION LINES OR CANALS:**

- 1) Type polyplastic
- 2) Size 0.75 inches
- 3) Length NA feet

**Comments :** provides water for cabins and campground



Mark D. Rath  
Natural Resources Engineer III  
DENR, Water Rights Program

Sept 5, 2016

Date



*Mark D Rath*  
 Mark D Rath  
 Natural Resources Engineer  
 SD DENR - Water Rights  
 09-05-2016

# STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 6849-3

(1) Mike Harmening, 14144 SD Hwy 109, Big Stone City SD 57216 made Application No. 6849-3, March 28, 2007 for a water permit to divert 0.078 cubic feet of water per second from ground water, one well (Greenhorn Limestone), Roberts County, South Dakota for commercial purposes. Permit No. 6849-3, with a priority date of March 28, 2007 was approved July 2, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 2, 2012 and for the application to beneficial use of said water on or before July 2, 2016.

(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 0.078 cubic feet of water per second for beneficial use.

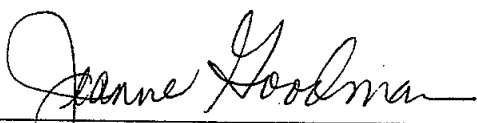
The location of the diversion point is 1,942 feet south and 403 feet east of the NW corner of Section 18, T122N, R46W (SW ¼ NW ¼).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Mike Harmening, 14144 SD Hwy 109, Big Stone City SD 57216 the holder and/or owner of Water Right No. 6849-3 is issued a license to appropriate water, the right to use 0.078 cubic feet of water per second from ground water, one well (Greenhorn Limestone) with a priority date of March 28, 2007 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. 6849-3 and subject to the following qualification:

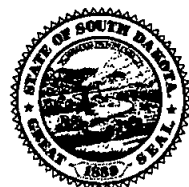
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having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



Jeanne Goodman, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

SEP 12 2016

date





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

SEP 12 2016

6849-3

Mike Harmening  
14144 SD Hwy 109  
Big Stone City SD 57216

Dear Mr. Harmening:

Enclosed is Water License No. 6849-3. 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. 6849-3, 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,

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

enclosures

Note: If the property is sold, the water right will need to be transferred to reflect new ownership.