

WATER PERMIT NO. 1637-1

Name of Applicant: Wickiup/Adelphia Partners, L.P.

Address: PO Box 939, Niwot CO 80544-0939

Phone: 605 584-3382

Amount of Water Claimed: 0.068 cfs

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial use

County: Lawrence

Type of Waste Disposal System: septic tank system

Location: near Cheyenne Crossing

PRIORITY

Date Received: 1-30-96

Fee: \$50.00

Corrected Application Received:

Period of Annual Use: January 1 - December 31

Remarks: An additional well to an existing system authorized by Water Permit No. 1546-1

Diversion Point: NE 1/4 NW 1/4 Sec 22-T4N-

R2E

Land to be Irrigated: NA

Depth of Well: 25 feet

Well Driller: Lewis Drilling

Remarks:

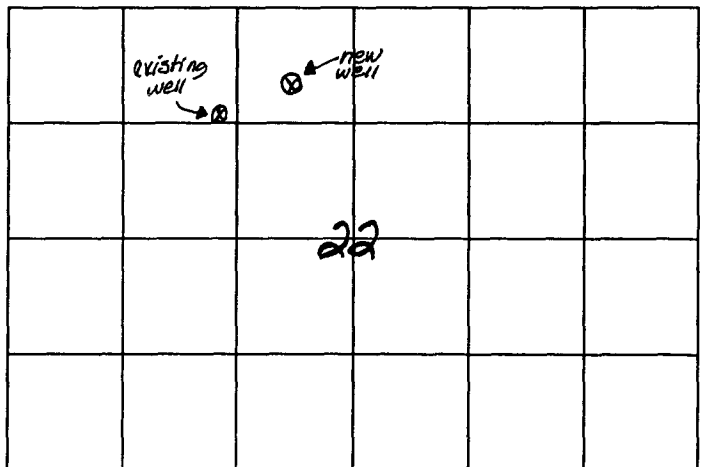
Type of Map: aerial

Prepared by: Rassool Ahadi

Reviewed and the Number Assigned on: 1-31-96

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 1637-1**

Date of first receipt of application January 30, 1996.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1637-1 to Wickiup/Adelphia Partners, L.P., PO Box 939, Niwot CO 80544-0939 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. 1637-1 appropriates an additional 0.068 cubic feet of water per second (cfs) (30.5 gallons per minute (gpm)) from one additional well 25 feet deep (Spearfish Creek Alluvium) located in the NE 1/4 NW 1/4 Section 22-T4N-R2E. Water Permit Nos. 1546-1 and 1546A-1 authorize 0.026 cfs (12 gpm) from one well located in the NW 1/4 NW 1/4 Section 22-T4N-R2E.
2. The water appropriated shall be used for the purpose of supplying water at the Wickiup Cabin Camp and may not exceed the amount of water needed for beneficial use for commercial use purposes.
3. The water is to be used during the following described annual period: January 1 - December 31
4. The date of approval of Permit No. 1637-1 is March 18, 1996.
5. The date from which applicant may claim right is January 30, 1996.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

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

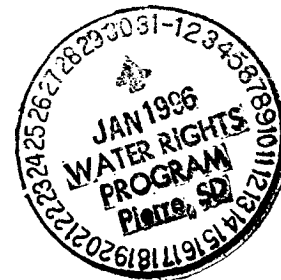
APR 3 1996

date



FORM 2: Application for uses other than irrigation

(type or print)



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

No. 1637-1 Hydrologic Unit 10/20203
Basin Belle Fourche
Newspaper Black Hills Pioneer, Spearfish, SD
(office use only)

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

Check use of water:

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

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

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

- Name of Applicant Wickiup/Adelphia Partners, L.P. c/o Niwot Phone (605) 584-3382
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address P.O. Box 939, Niwot Capitol Group State CO 80544-0939
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 0.068 *CFS or 30.75 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Groundwater-shallow well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) NE1/4 NW1/4 Section 22,
T4N-R2E
County Lawrence
- County or counties where water will be used Lawrence
- Annual period during which water is to be used January 1 through December 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)

The application is to file a water permit for an additional well to an existing system authorized by Water Permit No. 1546-1

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

STATE OF SOUTH DAKOTA)

County of LAWRENCE^{SS}

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

Signed _____

Subscribed and sworn to before me this 27th day of January 1996

Notary Public

RECEIPT

414774

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, January 30, 19 96

RECEIVED OF Wickiup Village, P.O. Box 618, Lead, SD 57754

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

Fee for Application for Permit No. <u>1657-1</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

John Hatch 

Mr. Ahadai- Pat Peters

#4

Wicking
^{model}

Male

1 25515-9 Grundfos pump

Pump end only

size- pump end - 4"

Length - 28"

Motor - 4"

width - 3 15/16"

* H.P. - 1.5

94223570 5#

capacity - flow range 18 to 32 GPM

1 1 1/2 HP 230V 3 wire pump motor

Franklin motor - Grundfos

3 wire

1.5 HP

phase 1

824105 F



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 5, 1995

Riley Barker
Wickiup/Adelphia Partners, L.P. c/o Niwot Capitol
PO Box 939
Niwot, CO 80544-0939

Dear Mr. Barker:

On September 13, 1995, I inspected Water Permit No. 1546-1 for Wickiup. The inspection showed that an additional well is used to supply water to the cabins for which there is no water permit.

Enclosed, please find partially completed application forms to file a water permit for the additional well. I have already prepared a map, so you do not need to submit another one. Please sign and notarize the forms and return them with \$50.00 filing fee.

If you have any questions or need assistance in completing the forms, please do not hesitate to contact me.

Sincerely,

M. Rassool Ahadi
Natural Resources Engineer
Phone: (605) 773-3352

enclosures.

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Wickiup Cabin Camp

ADDRESS: Niwot CO COUNTY: Lawrence

DATE: 1-20-96 TELEPHONE:

RE: Pending Application

COMMENTS:

I talked with Rassool Ahadi who did the inspection of the campground. Mr. Ahadi stated that the campground utilized a septic tank system for their waste disposal.

Karen Schlaak

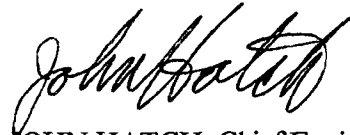
Karen Schlaak
Environmental Scientist

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1637-1, Wickiup/Adelphia Partners, L.P.**

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. 1637-1, Wickiup/Adelphia Partners, P.P., %Niwot Capitol Group, P.O. Box 939, Niwot, CO 80544-0939.

The Chief Engineer is recommending APPROVAL of Application No. 1637-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized, cursive script.

JOHN HATCH, Chief Engineer
February 20, 1996

REPORT ON WATER PERMIT APPLICATION NO. 1637-1
for Wickiup Adelphia Partners, LP
February 7, 1996

Application No. 1637-1 proposes to appropriate an additional 0.068 cfs (30.5 gpm) from one additional well approximately 25 feet deep located in the NE 1/4 NW 1/4 of section 22, T4N R2E. Water Permit Nos. 1546-1 and 1546A-1 authorize 0.026 cfs (12 gpm) from one well located in the NW 1/4 NW 1/4 of section 22, T4N R2E. Both wells are used for commercial purposes at the Wickiup Cabin Camp in Lawrence County.

AQUIFER - SPEARFISH CREEK ALLUVIUM (ALQ)

The alluvium along Spearfish Creek consists of clay, sand, gravel and large boulders. The aquifer is predominately unconfined and under water table conditions (Water Rights, 1996). The aquifer is limited in areal extent to the floodplain of Spearfish Creek and is probably in hydraulic connection with the creek. The well log filed with this application indicates silt and clay from the surface to 8 feet, sand and gravel from 8 to 12 feet with broken limestone from 12 to 24 feet below land surface. The well was completed into the broken limestone and was capable of producing 15 gpm with a static water level of three feet below land surface. The broken limestone may be large boulders or possibly a part of the Deadwood Formation. The well is completed in accordance with SD Well Construction Standards.

The Water Rights Program does not monitor any observation wells completed into the alluvium along Spearfish Creek. This section of Spearfish Creek is eroded into the Deadwood Formation (Darton, 1925). Ground water from the Deadwood Formation is moving towards and probably discharging into Spearfish Creek. Because there is water in storage in the alluvium and the fact that ground water is discharging into the creek from the Deadwood Formation any affects upon the flows of Spearfish will be minimal.

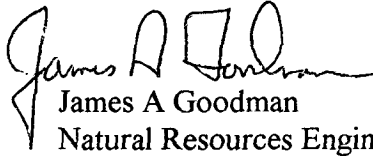
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing water permits in this immediate area. Water Permit Nos. 1546-1 (1546A-1) and 1501-1 are located about 800 feet west and 500 feet northeast respectively. Interference is not a concern. All permits obtain water from the same source but the diversion rates are relatively small and the distance is sufficient to minimize any potential drawdown effect. Also, Water Permit No. 1546-1 is held by the applicant.

CONCLUSIONS

1. Water is available from the alluvium
2. The aquifer is predominately under water table conditions. Drawdown caused by pumping should not extend very far from an individual production well. Interference is not a concern.

3. The aquifer is hydraulically connected to Spearfish Creek and to the underlying Deadwood Formation. Ground water from the Deadwood Formation is probably discharging into the creek. The effects of this diversion should not have a noticeable impact upon the flows of Spearfish Creek.
4. Wastewater is disposed of through septic tanks located at the site. In effect, recirculating the water used by the wells back into the aquifer.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Darton, N.H., 1925, Central Black Hills Folio, USGS, Washington, DC.

Water Rights, 1996, Unpublished Data for Lawrence County (Well Files), SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

February 21, 1996

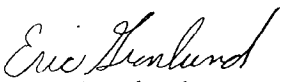
Riley Barker
Wickiup/Adelphia Partners, L.P.
%Niwot Capitol Group
P.O. Box 939
Niwot, CO 80544-0939

Dear Mr. Barker:

Water Permit Application No. 1637-1 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 Black Hills Pioneer printed at Spearfish, SD (Ph # (605) 642-2761). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 21, 1996

Black Hills Pioneer
P.O. Box 7
Spearfish, SD 57783-0007

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1637-1 to be published twice. Please publish the first notice on March 1, 1996, 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 Riley Barker, Wickiup/Adelphia Partners, L.P., %Niwot Capitol, P.O. Box 939, Niwot, CO 80544-0939 (Ph # (605) 584-3382).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on March 1, 1996, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1637-1 to Appropriate Water
and to Amend Water Permit Nos. 1546-1 and 1546A-1

Notice is given that Wickiup/Adelphia Partners, L.P., %Niwt Capitol Group, P.O. Box 939, Niwt, CO 80544-0939 has filed an application for a water permit to appropriate an additional 0.068 cubic feet of water per second (cfs) (30.5 gallons per minute [gpm]) from one additional well 25 feet deep (Spearfish Creek Alluvium) located in the NE 1/4 NW 1/4 Section 22-T4N-R2E. Water Permit Nos. 1546-1 and 1546A-1 authorizes 0.026 cfs (12 gpm) from one well located NW 1/4 NW 1/4 Section 22-T4N-R2E. Both wells are for commercial use at the Wickiup Cabin Camp.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1637-1 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 March 18, 1996.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Affidavit of Publication

STATE OF SOUTH DAKOTA) SS.
COUNTY OF LAWRENCE

Billy T. Masterson, Jr. of said County and State being first duly sworn, on his oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Billy T. Masterson, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and That I, Billy T. Masterson, Jr., the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

#755 No 1637-1

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive and consecutive weeks, the first publication being made on the 1 day of March 1996 and the last publication on the 8 day of March 1996, that the full amount of fees charged for publishing same, to-wit: The sum of \$ 42.87, insures solely to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement 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.

Subscribed and sworn to before me this 8 day of March 1996.



Ardith Johnson
Notary Public, Lawrence County, South Dakota
My commission expires: 10-24-96



NOTICE OF APPLICATION
NO. 1637-1 to Appropriate
Water and to Amend
Water Permit Nos. 1546-1 and
1546A-1

NOTICE IS GIVEN that Wickiup/Adelphia Partners, L.P., c/o Niwot Capitol Group, P.O. Box 939, Niwot, CO 80544-0939 has filed an application for a water permit to appropriate an additional 0.068 cubic feet of water per second (cfs) (30.5 gallons per minute [gpm]) from one additional well 25 feet deep (Spearfish Creek Alluvium) located in the NE 1/4 NW 1/4 Section 22-T4N-R2E. Water Permit Nos. 1546-1 and 1546A-1 authorizes 0.026 cfs (12 gpm) from one well located NW 1/4 NW 1/4 Section 22-T4N-R2E. Both wells are for commercial use at the Wickiup Cabin Camp.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1637-1 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 March 18, 1996.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel

is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

Nettie H. Myers,
Secretary,
Department of Environment
and Natural Resources.

#755
March 1, 8



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 3 1996

Pat Peters
Wickiup/Adelphia Partners, L.P.
P.O. Box 939
Niwot, CO 80544-0939

Dear Mr. Peters:

Enclosed is Water Permit No. 1637-1 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

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

enclosures

RECEIPT

414922

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ April 23, 19 96

RECEIVED OF Wickiup Village, P.O. Box 618, Lead, SD 57754

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>1637-1</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

Permit No. 1546-1, 1546A-1 and 1637-1
Belle Fourche 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

On September 13, 1995, a thorough examination was completed of the water use system constructed by Wickiup/Adelphia Partners, L.P., c/o Niwot Capitol Group, PO Box 939, Niwot CO 80544-0939 holder of Permit Nos. 1546-1, 1546A-1 and 1637-1, bearing the priority dates of February 10, 1992 (May 1 - September 7), November 29, 1993 (September 8 - April 30), and January 30, 1996 authorizing the diversion of 0.026 and 0.068 cu. ft. per second from groundwater for commercial use purposes, in Lawrence County.

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

A. Works used to divert the water:

Grundfos pump, 30.5 gpm capacity and 2 Marathon/Franklin pumps, 5 gpm capacity.

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

200 feet of 1 inch PVC pipe

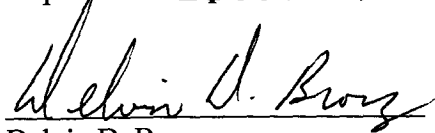
C. Works used to apply water to beneficial use:

Water is used for commercial use at the Wickiup Campground

The system is in the following condition good. The points of diversion are located as follows: Well No. 1 - 1140 feet east and 1230 feet south (NW 1/4 NW 1/4) and Well No. 2 - 1880 feet east and 960 feet south (NE 1/4 NW 1/4); both from the NW corner of Section 22-T4N-R2E. The works are capable of diverting and conveying to the place of use 0.079 cu. ft. per second of water for commercial use. Water has been put to beneficial use.

Applicable permit qualifications have been complied with.

Inspected on September 13, 1995 by Rassool Ahadi, staff engineer. Inspection report reviewed by:



Delvin D. Brosz

Natural Resources Engineer

DENR, Water Rights Program

April 27, 1996
date

REPORT ON INSPECTION OF PERMIT NO. New

Other permit(s) associated with the project: 1546-1

DATE OF INSPECTION: September 13, 1995

NAME & ADDRESS OF INSPECTION CONTACT/ Pat and Marge Peters

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Manager

NAME & ADDRESS OF PERMIT HOLDER: Riley Barker, PO Box 939, Niwot, CO 80544-0939

DIVERSION POINT LEGAL LOCATION: NE1/4 NW1/4 Section 22, T4N-R2E

WELL INFORMATION:

- 1) Well Drilling Firm: **Lewis Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **25** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **7** inches
- 2) Length **18** feet
- 3) Type **Steel**

Screen:

- 1) Type **Steel**
- 2) Length **7** feet
- 3) Static water level **3** feet

Pump:

- 1) Make **Grundfos**
- 2) Model **25S15-9**
- 3) Size **4** inch
- 4) Capacity **30.5** GPM

Motor:

- 1) Make **Grundfos**
- 2) Model No. **824105F**
- 3) Horsepower rating **1 1/2** hp

DISTRIBUTION LINES OR CANALS:

- 1) Type **PVC**
- 2) Size **4** inches
- 3) Length **300** feet

REPORT ON INSPECTION OF PERMIT NO. 1546-1

Other permit(s) associated with the project:A new application for the new well

DATE OF INSPECTION: 9/13/1995

NAME & ADDRESS OF INSPECTION CONTACT:Pat and Marge Peters

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Manager

NAME & ADDRESS OF PERMIT HOLDER:Riley Barker, PO Box 939, Niwot, CO 80544-0939

DIVERSION POINT LEGAL LOCATION: NW1/4 NW1/4 Section 22, T4N-R2E

WELL INFORMATION:

- 1) Well Drilling Firm: **Unknown**
- 2) No. of Wells **1**
- 3) Depth(s) **5 1/2** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **6x6 square** inches
- 2) Length **5 1/2** feet
- 3) Type **Concrete**

Screen: None

- 1) Type
- 2) Length feet
- 3) Static water level **2** feet

Pump: #1/#2

- 1) Make **Marathon/Franklin**
- 2) Model
- 3) Size **1** inch
- 4) Capacity **5/5** GPM

Motor:

- 1) Make **Marathon/Franklin**
- 2) Model No. **148C34D65JWCW/14030112410**
- 3) Horsepower rating **1/3** hp each

Only one of the two electric pumps is used to divert water from the well. Water is pumped into

a 500 gallon tank.

DISTRIBUTION LINES OR CANALS:

1) Type **PVC** 2) Size **1** inches 3) Length **200** feet

PERMIT QUALIFICATIONS AND REGULATIONS:

1) Special qualifications to permit being abided by Y

2) All structures, wells on map Y

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1637-1**

(1) Wickiup/Adelphia Partners, LP of PO Box 939, Niwot CO 80544-0939 made Application No. 1637-1, January 30, 1996, for a water permit to appropriate an additional 0.068 cubic feet of water per second (cfs) from one additional well, Lawrence County, South Dakota for commercial purposes. Permit No. 1637-1, with a priority date of January 30, 1996 was approved March 18, 1996 and issued for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

- Water Permit No. 1546-1 authorized 0.026 cfs from one well (5½ feet deep) to be used for commercial purposes between May 30 and September 7 of each year. No. 1546-1 carries a priority date of February 10, 1992.
- Water Permit No. 1546A-1 changed the annual use period of Permit No. 1546-1. The change allowed use of water by the camp from January 1 to December 31 of each year. No. 1546A-1 carries a priority date of November 29, 1993 for September 8 through April 30 of each year.

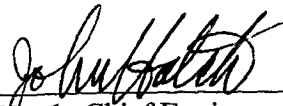
The applicable portions of Nos. 1546-1 and 1546A-1 have been incorporated into this Water License No. 1637-1.
Priority dates are as follows:

- February 10, 1992: Well #1 (5½ feet deep) - use from May 1 to September 7
- November 29, 1993: Well #1 - use from September 8 to April 30
- January 30, 1996: Well #2 (25 feet deep) - year around use

(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 0.079 cubic feet of water per second for beneficial use. The location of the diversion points are Well #1 - 1140 feet east and 1230 feet south (NW¼ NW¼) and Well #2 - 1880 feet east and 960 feet south (NE¼ NW¼) both from the NW corner of Section 22, T4N, R2E.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use at the Wickiup Campground.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Wickiup/Adelphia Partners, LP of PO Box 939, Niwot, CO 80544-0939 the holder and/or owner of Incorporated Water Permit No. 1637-1 is issued a license to appropriate water, the right to use 0.079 cubic feet of water per second from ground water (two wells) with priority dates of February 10, 1992, November 29, 1993 and January 30, 1996 from the locations specified in (2) of this license, for commercial purposes. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 1637-1 and subject to South Dakota State Law.



John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 17 1996
date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 17 1996

1637-1

Pat Peters
Wickiup/Adelphia Partners, L.P.
P.O. Box 939
Niwt, CO 80544-0939

Dear Mr. Peters:

Enclosed is Water License No. 1637-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414922 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1637-1, 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.

Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Nos. 1546-1 and 1546A-1 have been incorporated into this Water License No. 1637-1.

1637-1
January 17, 2001

2000 South Dakota Water Use Questionnaire

To:

Wickiup Village Cabins
Jason Cobb
HC 37 Box 1228
Lead SD 57754

Address correction requested:

Terry Cobb
Box 881117
Steamboat Springs, CO 80487

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 1637-1. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: ALLUVIUM-QUATERNARY
Management Unit: NOT APPLICABLE

County: LAWRENCE
Pumping Pt. Legal: SEC 22-T004N-R02E
Type of Water Use: COMMERCIAL

- 1) Please estimate your year 2000 water use from the above water source: _____ gallons
2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments:

We have 20 cabins rented in summer - 70% occupancy
About 5 rented in winter - 20% occupancy
0 cabins rented Nov/Dec 1-15 - April & May
- I have no idea of actual usage

Contact Person:

Terry Cobb owner

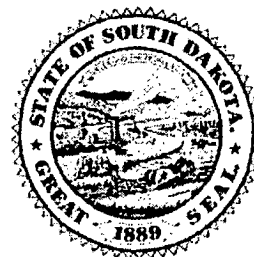
Telephone No:

970 870 0760

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2000 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 6, 2001

No. 1637-1

Terry Cobb
Box 881117
Steamboat Springs CO 80488

Dear Mr. Cobb:

Thank you for returning the 2000 SD Water Use Questionnaire. As I indicated in our phone conversation, enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership/name change on Water Right No. 1637-1. The water right is currently listed in the name of Wickiup/Adephia Partners, LP.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

① Add check for 2.50

NOTICE OF TRANSFER OF OWNERSHIP

② Notarize

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

No. 1637-1

Date: 2/11/01

I/We request that Water Right No. 1637-1

formerly owned by: Wickiup/Adelphia Partners, LP

be transferred to: (name & address)

Wickiup Village Lodging Inc
Rt 881117 Steamboat Springs Co Telephone No. 80488 970 8700760

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

two wells located in the NW 1/4 NW 1/4 and NE 1/4 NW 1/4 Section 22-T4N-R2E (Lawrence County)

I/We understand that the validity of Water Right No. 1637-1 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 Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

Colorado
STATE OF ~~SOUTH DAKOTA~~)
County of Routt)

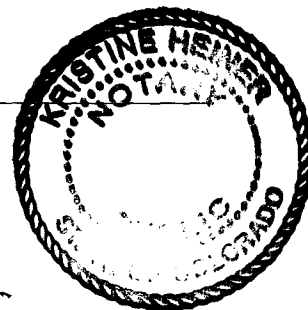
Mr Terrell A. Cobb being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

[Signature]
(Signed)

Subscribed and sworn to before me this 13th day of February, 2001.

MY COMMISSION
EXPIRES
03/24/2001

Kristine Heimer
(Notary Public)



NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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

NO 416774

Pierre, 2/16/01

RECEIVED OF Wickup Village Cabins, Box 618, Lead, SD 57754

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

(Wickiup/Adelphia Partners LP)

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. _____

Fee for Filing Transfer Form 1637-1

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Darland Erbe
Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 15, 2001

1637-1

Terrell A. Cobb
Wickup Village Cabins, Inc.
Box 881117
Steamboat Springs, CO 80488

Dear Mr. Cobb:

Thank you for following up on the ownership change for Water Right No. 1637-1. The transfer has been completed. The water permit formerly listed in the name of Wickiup/Adelphia Partners, LP is now listed in the name of Wickup Village Cabins, Inc.

Enclosed is your Receipt No. 416774 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

Glenda Marks
Secretary
Water Rights Program
(605) 773-3352

enclosure

cc: Wickup Village Cabins, Lead, SD

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

JUL 13 2011

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 1637-1Date: July 12 2011

I/We request that Water Right/Permit No. 1637-1 formerly owned by:
Wickiup Village Cabins, PO Box 881117, Steamboat Springs CO - Terrel A Cobb be transferred to:

New Owner Name: Wickiup Village CabinsAddress: 21381 US Hwy 85City, State, Zip Lead SD 57754 Telephone No. 605-584-3382

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

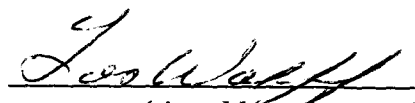
Wells located in the NW 1/4 NW 1/4 and NE 1/4 NW 1/4 Section 22, T4N, R2E

☒ I understand that the validity of Water Right/Permit No. 1637-1 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (~~\$50.00~~) is included to cover the filing fee as required by SDCL 46-2-13.

I, Wickiup Cabins LLC Les Wolff, 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 7/13, 20 11

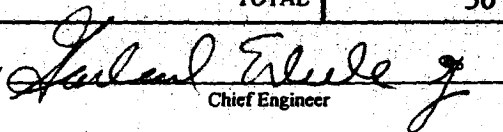
RECEIVED OF Wickiup Cabins 21381 US Hwy 85 Lead SD 57754

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. _____		
Fee for Filing Transfer Form <u>1637-1</u>	50	00
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. **0500**

By


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

July 15, 2011

1637-1

Les Wolff
Wickiup Village Cabins
21381 US Hwy 85
Lead SD 57754

Dear Mr. Wolff:

Thank you for sending in the ownership change and filing fee for transferring Water Right No. 1637-1. It is our understanding that the name of the business stayed the same however the ownership of the business changed hands.

The transfer has been completed. Enclosed for your records is Receipt No. 05001 in the amount of \$50.00.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent.

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

enclosure