

1. Considered August 1st, 1957 Appl. No. 200-1
2. Name of Applicant Black Hills Water Co.
3. Post Office Address Lead South Dakota
4. Amount of water claimed 6216 cfs (74 gpm)
5. Source of water supply ground water
6. Water to be used for Business purposes
Acres-to-be-irrigated. _____
7. Water to be diverted and used in Lawrence County about
4 miles southwest of Lead.
8. Proof of Publication Received ☒
Not Received _____
9. Application Approved ☒
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

Water Division No.

(Blanks to be Filled by the Engineer for the W. R. C.)

District APP 3.0 1957

STATE WILFIRE RESOURCES COMMISSION
BUREAU OF FIRE PREVENTION

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant BLACK HILLS CHAIR LIFT CO.
Postoffice address LEAD, County LAWRENCE, State SOUTH DAKOTA

1. If a corporation Black Hills Chain Lift Co.

- (a) Name of same BLACK HILLS COAL LIFT CO.

- (b) Date and place of incorporation SOUTH DAKOTA JUNE 5, 1952

- (c) Amount of capital stock 5250,000

- (d) Amount paid in \$ 87,500

- (c) Name and addresses of directors KENNETH C. KELLAR, LEAD, S. D.; F. S. HOWE AND
EDWARD W. KEENE, DEADWOOD, S. D.; CARL EURGESS AND H. C. HANSON, RAPID CITY, S. D.

(NOTES: certified copy of articles of Incorporation must accompany the application.)

- II. Method of accomplishing the work and financial resources of the applicant:**

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

CONTRACT PAID IN FULL

- (b) Cash on hand, \$..... (c) Treasury stock, \$.....

- (d) Bonds to be issued, \$..... (e) Other resources, \$.....

2. Name of diversion work

5. Amount of water claimed 22,272 cubic feet per second 27,000,000

4. Source of water supply UNDERGROUND WATER THROUGH WELL

6. Location of point of diversion Well in W¹ 14¹/₂ Sec. 1, T. 4 N. R. 2 E.

- on ----- bank ----- LAWRENCE ----- County

6. Annual period or periods during which water is to be used THE QUOTED YEAR

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? _____

- (a) Number of acres to be irrigatedacres.

- (b) Legal subdivisions to be irrigated 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

(NOTE--A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.)

11. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation;

- (a) Nature of use TO SUPPLY WATER FOR TOURIST CONCESSION AND RESTAURANT
 Name any of the above uses claimed

- (b) Amount of power to be generatedhorse power.

- Amount claimed for engine cooling

- (c) Location of plant

- (d) Method of developing power

- (c) Point where water will be returned to stream

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures\$..... Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works:

(a) Dam: Heightfeet; length at bottomfeet; length at topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face
 material used in construction
 (b) Reservoir: Capacity when filledacre feet. Surface area at highwater markacres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Widthfeet; heightfeet;
 Material
 (d) Canal: Total lengthmiles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work QUERIED years.

11. Time required for complete application of water to the proposed beneficial use ONE MONTH years:-

12. Choice of newspaper for publication of notice of intention to appropriate LEAD DAILY CALL, LAC, S. D.

STATE OF SOUTH DAKOTA

County of LAWRENCE } ss.

I, EDWARD W. KLENE, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Edward W. Klene

Subscribed and sworn to before me this 25 day of APRIL 19 57.

D. M. Brown
 Notary Public (or other qualified officer)

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 6 IN., Depth 53 FT.

Type of casing STEEL
(wood, concrete, steel, etc.)

Size of casing 6 IN., Thickness of casing

Length of casing 55 FT. If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen

Size of perforated screen
(diameter) (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water 10 FT. Character of water bearing materials SLATE

Thickness of water bearing material 40 FT.

(d) Pump and Motor

Type of pump JET
(centrifugal, propeller, mixed flow, etc.)

Name of pump CRANE , size

Kind of motor ELECTRIC
(gasoline, electric, diesel, etc.)

Horsepower $\frac{1}{2}$, Name of Motor

(e) Complete well

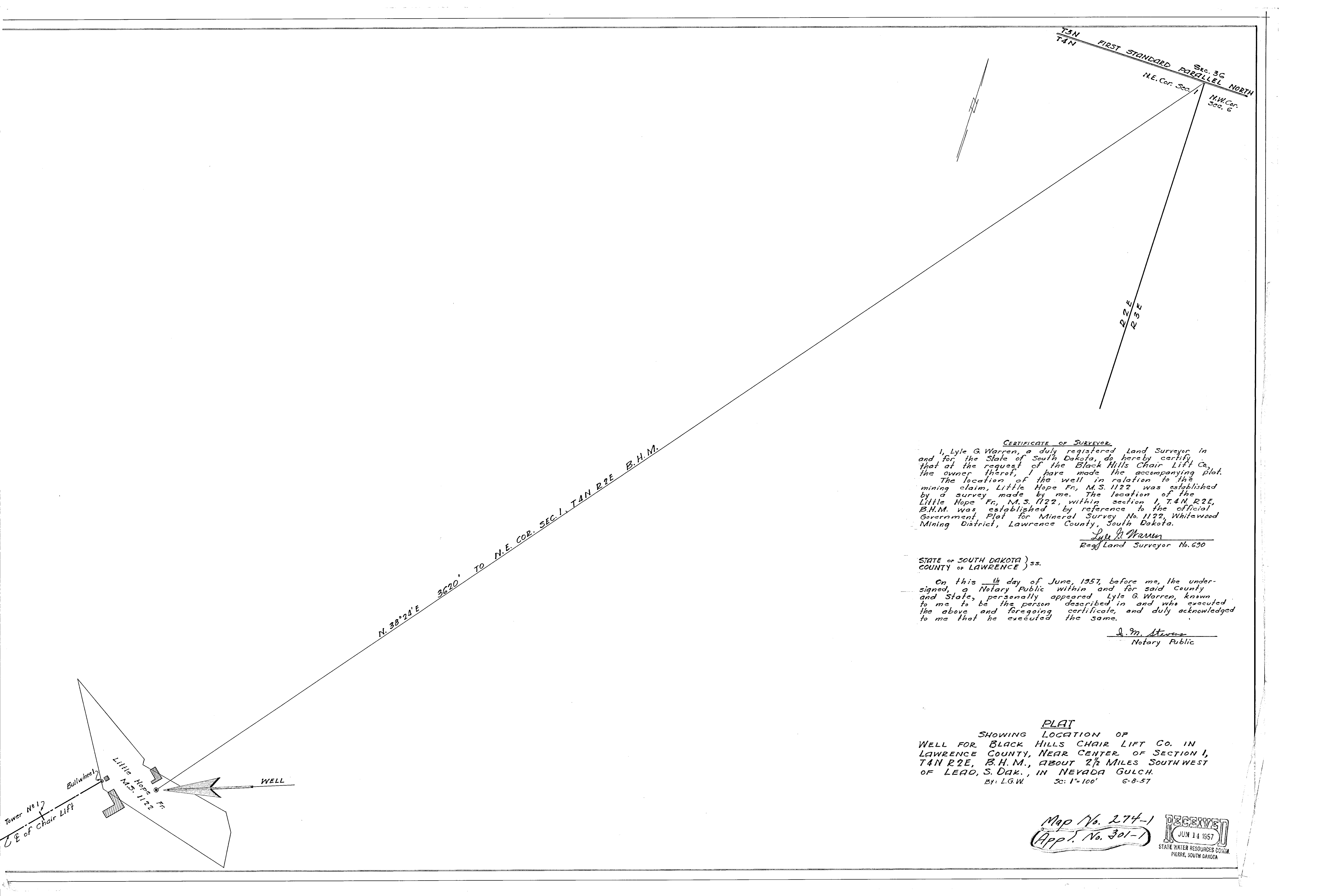
Capacity 7 $\frac{1}{2}$ GAL. PER MIN. at drawdown of Estimated cost \$07.10

(f) Owner of land upon which well is located BLACK HILLS CHAIN LIFT CO.
Name

LEAD, SOUTH DAKOTA
Address

(g) Distance to nearest existing wells

On same owner's property rods. On property owned by others $\frac{1}{2}$ MI. rods



CERTIFICATE OF SURVEYOR.

I, Lyle G. Warren, a duly registered Land Surveyor in and for the State of South Dakota, do hereby certify that at the request of the Black Hills Chair Lift Co., the owner thereof, I have made the accompanying plat. The location of the well in relation to the mining claim, Little Hope Fr., M.S. 1122 was established by a survey made by me. The location of the Little Hope Fr., M.S. 1122, within section 1, T.4N. R2E, B.H.M. was established by reference to the official Government Plat for Mineral Survey No. 1122, Whitewood Mining District, Lawrence County, South Dakota.

Lyle G. Warren
Regd Land Surveyor No. 690

STATE of SOUTH DAKOTA) ss.
COUNTY of LAWRENCE)

On this th day of June, 1957, before me, the undersigned, a Notary Public within and for said County and State, personally appeared Lyle G. Warren, known to me to be the person described in and who executed the above and foregoing certificate, and duly acknowledged to me that he executed the same.

L. M. Stevens
Notary Public

PLAT

SHOWING LOCATION OF
WELL FOR BLACK HILLS CHAIR LIFT CO. IN
LAWRENCE COUNTY, NEAR CENTER OF SECTION 1,
T4N R2E, B.H.M., ABOUT 2 1/2 MILES SOUTHWEST
OF LEAD, S. DAK., IN NEVADA GULCH.

BY: L.G.W. Sc: 1"=100' 6-8-57

Map No. 274-1
(App. No. 301-1)

RECEIVED
JUN 14 1957
STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of Hughes

Pierre, South Dakota

May 23, 1957

This is to certify that the foregoing application was received by the Commission at 9:20 o'clock

am. upon the 30 day of April, 1957

State Water Resources Commission

By:

Joe Bruner

Chief Engineer, Executive Officer

Number of permit 301-1

Date of first receipt of application April 30, 1957

Date of return to applicant for correction, amendments or changes required as follows: May 23, 1957

Date of receipt of corrected application Time 14, 1957

Date from which applicant may claim right April 30, 1957

Approved Quans 14, 1957, Recorded in Book 46 Page 139

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

February 14, 1958

2nd. The whole of said work is to be completed on or before August 14, 1958

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

August 14, 1959

The water appropriated shall be used for the purpose of business use

the prior right of all persons who, by compliance with the laws of the State of South Dakota, have right to the use of water must not be injuriously affected by this appropriation.

the amount of the appropriation herein granted shall not exceed 0.016 cfs per second; neither shall it exceed the capacity of the above described system of diversion works, the amount of water that experience may hereafter indicate as necessary for the production of crops or else of the best husbandry; and further, said appropriation must be limited to not more than one (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually applied for irrigation on or before August 14, 1959; said water to be used during following described annual period:

Continuously

Witness my hand this 16 day of September, 1957

State Water Resources Commission

By:

Joe Bruner

Chief Engineer, Executive Officer

Certificate of Construction Issued May 20, 1958

Water License Issued May 20, 1958

STATE OF SOUTH DAKOTA

WATER LICENSE No. 301-1

WHEREAS, On the 30th day of April A. D. 1957

The Black Hills Chair Lift Company

of Lead County of Lawrence and State of South Dakota duly made application (No. 301-1) to us for a permit to use 0.016 cubic feet per second of the waters of ground water County of Lawrence, State of South Dakota, for commercial purposes; and

WHEREAS, On the 16th day of September A. D. 1957 Permit No. 301-1 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 14th day of August A. D. 1958 and for the application to beneficial use of said water on or before the 14th day of August A. D. 1959 and,

WHEREAS, On the 28th day of March A. D. 1958 the holder of said permit duly made proof of the completion of adequate works for the diversion of 0.016 cubic feet per second of said waters, as evidenced by our Certificate No. 301-1 dated May 20, 1958 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 0.016 cubic feet per second of water, with date of priority of April 30, 1957 and,

WHEREAS, On the 28th day of March A. D. 1958 proof was duly made of the application to beneficial use of 0.016 cubic feet per second of said water; for commercial purposes in the SNE, Sec. 1, T. 4 N., R. 2 E. BHM

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to The Balck Hills Chair Lift Company
of Lead, South Dakota the holder and owner of said permit No. 301-1
a water right, dating from April 30, 1957 to the use of 0.016
cubic feet per second of the waters of ground water
in the County of Lawrence and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be diverted at 3620 feet, S 38° 24' W
of the NE Cor., Sec. 1, T 4 N, R 2 E BHM
and conducted to and upon the W 1/2 NE 1/4, Sec. 1, T 4 N, R 2 E BHM

for the purpose of commercial use

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 20th day of May A. D. Nineteen
Hundred and Fifty-eight

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

is Book _____ of _____ Page _____

Permit No. 301-1
Belle Fourche
 Water Division No. 1 River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That The Black Hills Chair Lift Company

of Lead, County of Lawrence, and State of
South Dakota, the holder of Permit No. 301-1, issued upon Application

No. 301-1, bearing date of priority of April 30, 1957, authorizing the diversion of
0.016 cu. ft. per second of the waters of ground water

County of Lawrence, State of South Dakota, at 3620 feet, S 38°
24' W of the NE Cor., Sec. 1, T 4 N, R 2 E BHM

for commercial purposes

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of
 completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
 condition for diverting and conveying to the place of intended use 0.016 is cu. ft.
 per second of water; and that the ~~XXXXXX use of said water~~ use of said water is described as follows,

to-wit: for commercial purposes in the W 1/2, Sec. 1, T 4 N,

R 2 E BHM

Witness my hand this 20th day of May A. D. 1958

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

Permit No. 301-1Belle Fourche
River Water District
Water Division No. 1**Certificate of Examination of Works****Report of Examining Engineer**

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated on March 28, 1956~~1955~~, I have ~~this day~~ made a thorough examination of the diversion works constructed byThe Black Hills Chair Life Co., of LeadLawrence County, South Dakota, holder of Permit No. 301-, issued upon Application No. 301-1, bearing date of priority of April 30, 1957, authorizing the diversion of 0.016 cu. ft. per second of the waters of ground water for commercial purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Craneline Jet pump model #C56.12B1. Motor electric Serial # A-25, 1/2 Hp., Type #50, 110-220V. The whole unit was Model #SJC-14, 2 inch with an estimated capacity of 10-15 gpm. It was set in a good concrete base and housed in a concrete and block cellar which was roofed.

Also a 50-55 gallon pressure tank and a well 50 ft deep. There was adequate piping from it to the buildings and adequate restaurant equipment, toilets, etc. to utilize the water.

and the system is in the following condition: Excellent

The point of diversion is located in the SW-NE 1/4, Sec 1, T 4 N, R 2 E BHM or 3620 feet S 38° 24' W from the NE Corner of said Section.

The works are capable of diverting and conveying to the place of use 0.016 cu. ft. per second of water, which is to be used for commercial

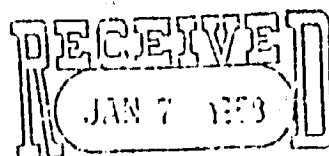
where water used
The legal sub-divisions ~~to be irrigated~~ are: 1/4 NE, Sec. 1, T 4 N, R 2 E.

comprising a total of --- acres of land.The domestic use intended comprises -----The utilization for power, mining, or other beneficial uses comprises: -----Witness my hand, this 20th day of May, A. D. 1958

—SEAL—

Les Wyborny,

Examining Engineer.

Permit No. 301-1

STATE WATER RESOURCES COMM

Water Division No. 1 RAPID CREEK Water District PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) LEAD, SOUTH DAKOTA(Date) JANUARY 6, 1958

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 0.016 cu. ft. per second of the waters of the state from WELL through the ----- for BUSINESS USE purposes ----- in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is BLACK HILLS CHAIR LIFT CO.

2. The postoffice address of such person or the place of business of such corporation is LEAD County of LAWRENCE State of SOUTH DAKOTA

3. The number of such permit is 301-1 and the date set for the completion of such work is AUGUST 14, 1958

4. Said water to be used for BUSINESS USE purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 0.016 cubic feet per second.

6. The amount of land for which said water is available is ----- acres, particularly described as follows: -----

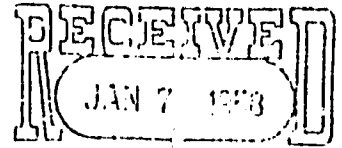
I hereby certify that the facts set forth in the above notice are true.

BLACK HILLS CHAIR LIFT CO.

(Signature of Owners)

By

PRESIDENT

Permit No. 301-1Water Division No. 1 RAPID CREEK Water District
STATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) LEAD, SOUTH DAKOTA(Date) JANUARY 6, 1958

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on 15TH day of MARCH
1958, at TERRY PEAK CHALET County of LAWRENCE State of South Dakota,
before _____ proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)
of 0.016 cubic feet per second of the waters of WELL
_____ in accordance with the terms and conditions of Permit No. 301-1
heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

BLACK HILLS CHAIR LIFT CO., Box 898, LEAD, SOUTH DAKOTA2. The use to which said water has been applied is BUSINESS USE3. The amount applied to beneficial use is 0.016 CUBIC FEET PER SECOND4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) TERRY PEAK CHALET, IN NEVADA GULCH, IN LAWRENCE COUNTY, SOUTH DAKOTA

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

NONE6. The right to take the water from such works is based upon permit No. 301-17. The source of supply from which such water is diverted is WELL8. The date of priority which said user is prepared to establish is APRIL 30, 1957(Sign) BLACK HILLS CHAIR LIFT CO.By [Signature]

PRESIDENT

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County _____ } ss.

Milton B. Chilcote being duly sworn, deposes and says the annexed printed copy of Notice of Intention to appropriate Water was taken from the _____

Leadville a newspaper which during the whole publication of said notice herein after stated, has been printed and published in the _____

City of _____ County of _____

Lawrence and State of South Dakota; that the said notice was published in said newspaper on the following dates:

July 10, 1957

July 17, 1957

July 24, 1957

July 31, 1957

in each and every issue of the full number thereof, the first publication being made on the 10 day of July

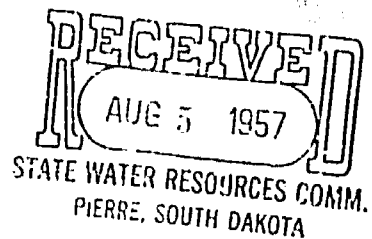
1957 and the last publication on the 31 day of

July 1957, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was _____ the printer and publisher of the said newspaper.

Milton B. Chilcote

Subscribed and sworn to before me this 30 day of July A. D. 1957

Notary Public Lawrence County, S. D.



No. 201-1
APPROPRIATION OF WATER
Office of State Water
Resources Commission
Pierre, S. D., July 3, 1957
Notice is hereby given that The
Black Hills Chair Lift Company,
whose postoffice address is Lead,
S. Dak., has made an application
in accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 0.016 cubic feet of
water per second of time from
ground water through a well, the
point of diversion of which is to
be located in the NW 1/4 of the NE 1/4
of Section 1, Twp. 1N, Range 2E,
Said water to be used for business
purposes in the WENEMA, Sec. 1,
T. 1N, R. 2E.
This application will be taken
up by the State Water Resources
Commission at their office at Pierre
for consideration upon the 14th day
of August 1957, at 3:00 p.m. All
interested persons may appear and
be heard.
Appropriate action will be taken
by the Water Resources Commission
after suitable time has elapsed
for the consideration of any or all
information presented.
State Water Resources
Commission
By: LEE WYBORN, Jr.
Water Rights Engineer
10-17-24-51

(First Publication ~~before July 21~~-----, 19--57)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., July 5-----, 1957

Notice is hereby given that The Black Hills Chair Lift Company whose postoffice address is Lead S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.016 cubic feet of water per second of time from xx ground water through xx wall, the point of diversion of which is to be located xxix in the 14 $\frac{1}{2}$ W of the NE 1 of Section 1 Twp. 4N Range 2E Said water to be used for business purposes ~~the purpose of causing irrigation on the following described land:~~
~~xxxxxx~~
business purposes in the 14NE $\frac{1}{2}$, Sec. 1, T 4 N, R 2 E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 14 day of August, 1957, at 2:00 p.m. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

~~Chief Engineer, Executive Officer~~

Les Wyborny, Water Rights Engineer

cc Mr. M. B. Chilcott, Manager
The Lead Daily Call
Lead, South Dakota

STATE OF SOUTH DAKOTA



DEPARTMENT OF STATE

United States of America, }
State of South Dakota, } Secretary's Office

*This is to certify that the attached instrument of writing
is a true, correct and examined copy of*

Articles of Incorporation of BLACK HILLS CHAIR LIST CO., as filed in
this office June 9, 1952,

*and the whole thereof, and has been carefully compared with
the original now on file in this office and found correct.*

*The within document, book, instrument, paper or law
shall not be received in evidence in any court of this state
unless this certificate is countersigned by the state treasurer
with a statement of the fees received.*

In Testimony Whereof, I have hereunto
set my hand and affixed the Great
Seal of The State of South Dakota
at the City of Pierre, the Capital, on
this 24th day of April, 1957.

FEES, \$ 4.00
COUNTERSIGNED BY

[Signature]
State Treasurer.

[Signature]
Secretary of State.

ARTICLES OF INCORPORATION
OF

BLACK HILLS CHAIR LIFT CO.

OK
WOK

KNOW ALL MEN BY THESE PRESENTS:

That we, Kenneth C. Kellner, R. E. Driscoll, Jr., John C. Finola, Richard C. Morcom, C. G. Irian, and Kenneth A. Stormo, all residents of the City of Lead, County of Lawrence, State of South Dakota, F. S. Howe, George A. Hunter, E. H. S. Cushman Clark Rypkema, Neil Parrigone, and Edward W. Keene, all residents of the City of Deadwood, County of Lawrence, State of South Dakota; and R. E. Driscoll, Sr., John A. Bertolero, William Baron, Lester R. Kennedy, H. A. Hanson, J. E. Morgan, Glen Heidepriem, Ray E. Lanley and J. W. Burns, all residents of the City of Rapid City, County of Pennington, State of South Dakota; for ourselves, our associates and successors, have associated and do hereby associate ourselves together for the purpose of forming a corporation under and by virtue of the laws of the State of South Dakota, and do hereby adopt, ratify, and confirm these, our ARTICLES OF INCORPORATION, setting forth as follows, to-wit:

ARTICLE I.

The name of this corporation shall be "BLACK HILLS CHAIR LIFT CO."

ARTICLE II.

The purposes for which this corporation is formed are to acquire, build, construct, lease, own, manage, operate and maintain chair lifts and similar devices for the amusement or entertainment of the public, and to carry on any and all lawful business in connection therewith; to construct, own, build, operate, conduct and carry on summer and winter resorts for the use and benefit of the public generally, to build, own, lease, operate, manage, and conduct concessions, hotels, restaurants, club houses, cabins, lodges, recreational trails, living quarters and accommodations of any and all kinds, and to conduct amusement enterprises in all of the branches pertaining thereto; to engage in, conduct, and carry on the business of transportation for itself or for others for hire of passengers by means of motor coaches, motor buses, taxicabs and any and all other power propelled, drawn or driven vehicles and devices; to hold, own, use, develop, mortgage, lease, sell or otherwise dispose of all real or personal property necessary or convenient for use in connection with any of said purposes; and to do any and all such other things as may be necessary, proper, usual, or convenient in the maintenance, conduct, or operation of any of its enterprises, businesses, properties, or heretofore mentioned purposes, and to carry out the purposes hereinabove set forth in any State of the United States.

ARTICLE II.

The place where the principal business of this corporation is to be transacted and conducted is the City of Lead, County of Lawrence, State of South Dakota.

ARTICLE IV.

The term for which this corporation is to exist is perpetual.

ARTICLE V.

The Board of Directors of this corporation shall be not less than five nor more than nine, and the names and residence of those who are to serve until the regular election and qualification of such officers are as follows:

Kenneth C. Keller,
R. E. Driscoll, Jr.,
F. S. Howe,
Edward W. Keene,
H. A. Hansen.

Lead, South Dakota
Lead, South Dakota
Deadwood, South Dakota
Deadwood, South Dakota
Rapid City, South Dakota.

ARTICLE VI.

The amount of capital stock of this corporation shall be Two Hundred Fifty Thousand Dollars (\$250,000), divided into twenty-five hundred shares of the par value of One Hundred dollars each.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this
3d day of June, 1952.

Kantab & Lellan
 Robert E. Russell Jr.
 John E. Tinsler
 Ludwig Marson
 Richard G. - & Thomas
 B. Hove
 George Hunter
 J. J. Rykerson
 Sherman Clark

Edward H Keene
J E Russell
John A. Bristow
William Barron
Richard Henry
Russell
J E Hoffman
Wm H. D. Garrison (MD)
Ralph W. Lyndon
J. M. Brown
George Loring
C. G. Smith

STATE OF SOUTH DAKOTA)
) ss.
COUNTY OF LAWRENCE)

On this 3d day of June, 1952, before me, the undersigned, a Notary Public within and for said County and State, personally appeared Kenneth C. Kollar, R. E. Driscoll, Jr., John C. Finola, Richard C. Morcor, Kenneth A. Stormo, F. S. Howe, George R. Hunter, E. H. Tykema, Nell Perrigou, S. Gusman Clark, C. G. Irish, and Edward W. Keene, known to me to be the persons described in and who executed the foregoing Articles of Incorporation, and each duly severally acknowledged to me that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I have hereunto set my hand and notarial seal the day and year last above written.

(Notarial Seal)

L. M. Stinson
Notary Public

My commission expires Oct. 26, 1954

STATE OF SOUTH DAKOTA)
) ss.
COUNTY OF PRINGETON)

On this 30 day of June, 1954, before me, the undersigned, a Notary Public within and for said ~~Pringeton~~ State, personally appeared R. E. Driscoll, Sr., John A. Bertolero, Wm. Baron, Lester R. Kennedy, H. A. Hanson, J. E. Horgan, J. W. Burns, Glen Heidepriem, and Ray E. Lezley, known to me to be the persons described in and who executed the foregoing Articles of Incorporation, and each duly severally acknowledged to me that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I have hereunto set my hand and notarial seal the day and year last above written.

(Notarial Seal)

L. M. Stinson
Notary Public

My commission expires Oct. 26, 1954

STATE OF SOUTH DAKOTA)
COUNTY OF LAWRENCE) ss.

KENNETH C. KELLAN, ~~R. E. DRISCOLL, JR.~~, JOHN C. FINOLA, RICHARD C. MORON, and KENNETH A. STORMO, being duly sworn, depose and say, each for himself and not one for the other, that he is one of the signers of the foregoing application for a charter to establish a corporation to be known as the "Black Hills Chair Lift Co.", and who signed and acknowledged the foregoing Articles of Incorporation hereto attached. That such corporation is not being formed for the purpose of enabling any corporation or corporations to avoid the provisions of Chapter 13.18 of the South Dakota Code of 1939 as amended, relating to unlawful trusts and monopolies.

[Signature]

[Signature: John C. Finola]
[Signature: Richard C. Moron]
[Signature: Kenneth A. Stormo]

Subscribed and sworn to before me this 3d day of June, 1952.

(Notarial Seal)

[Signature]
Notary Public

State of South Dakota }
Office of Secretary of State } ss.

I hereby certify that the within instrument
was filed for record on the 9th
day of June A. D. 1952
at 10 o'clock A. M., and recorded in
Vol. 45 on Page 33 Record
Domestic Corporations of this office.

[Signature: Geraldine Ostlund]
Secretary of State.

[Signature]
Assistant Secretary of State.

#301-1

Observation's during the Field Inspection on March 28, 1958 of the Black Hills Chair Lift Company Project relative to Permit #301-1.

I received excellent cooperation and ample help in completing my work.

The project is located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 1, T4N, R2E, BHM, near the center of said Section. The water is used for commercial or restaurant and domestic uses.

The well, I was told is 50 feet deep with the static water level @ about 10 feet. It was difficult to ascertain the construction features of the well but I was told that it had a 6 inch steel casing.

Equipment consisted of a Crancine Jet pump, model #C 56 J2B1 driven by an electric motor, Serial # A-26, $\frac{1}{2}$ Hp., Type #60, 220 volt. The whole unit was a Model #SJC-14, 2 inch, with an estimated capacity of 10 - 15 gpm. It was set in a good concrete base and housed in a concrete cellar which was roofed. There was a 50-55 gallon pressure tank, and a pressure gauge on the unit. There was adequate piping from the pump to the restaurant and toilets and ample equipment to utilize the water.

All of the equipment was new and in excellent condition.

The facilities and capacity of the works to divert water and convey it to the place of use met the conditions as set forth in the Application and Permit.


Les Wyborny

May 21, 1958

301-1

1. Top 4N 60 2E

Well Owner: Black Hills Chairlift
Business Name: Terry Peak Ski Area
Address: P.O. Box 774 Lead, S.D. 57254
605-342-7600
605-341-5445

North

1 Mile

Ex. 101-101000 Date 1-25-93

Distance from nearest potential pollution source (septic tank, abandoned well, fuel tank, etc.): 50 ft. ft. from Septic tank (identify source);

☐ Municipal ☐ Business ☐ Test Holes
☐ Industrial ☒ Institutional ☐ Monitoring well

The Notary

[illegible]

DEPTH	DIAMETER	FROM	TO	HOLE DIAMETER
0.0	7 IN	0 FT	71 FT	9 3/8 IN
10.0	IN	FT	FT	IN
20.0	IN	FT	FT	IN

Net Weight _____ Total Barrels _____ Net Weight _____ From _____ To _____
 Pounds _____ 12 _____ 14 lb/gal _____ 0 ft _____ 21 ft _____
 _____ lb/gal _____ ft _____

Notes: _____ gaskets were gasketed
 if too rough during _____

Distance	Length	EE
----------	--------	----

U.S. GOVERNMENT PRINTING OFFICE: 1967

Was well tolerated by the complainant? ☒ YES, How. chlorine
☐ NO, Why Not? chlorine
circulated in well

City or county for water quality analysis Twin City, Tenn.

[illegible]

STATIC WATER LEVEL 25 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? _____

☐ Pumped Describe: _____
☐ Bailed _____ *Air Developed* _____
☒ Other _____
Pumping Level Below Land Surface
145 ft. After *2* hrs. pumped *30* GPM
_____ ft. After _____ hrs. pumped _____ GPM
If pump installed, pump rate _____ GPM

Replacement well
Water License No.
301-1.



This well was drilled under license # 331
and this report is true and accurate.
Drilling firm: Taylor Drilling
Signature of License Representative:
Rafael Taylor, Jr.
Signature of Well Owner or Equitable Property Holder:

Date: _____



U

301-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

July 19, 1993

Black Hills Chairlift
Terry Peak Ski Area
PO Box 774
Lead, SD 57754

Dear Sir :

A well driller's report filed by Taylor Drilling shows that they completed a new well for you. Based on the information in the report, you may need a permit to appropriate water for use in your business.

1. A water permit must be obtained for any water use except for reasonable, private domestic use. Examples of commercial use that require permits for private water supplies are: truckstops; motels; restaurants; bars; clubs; tourist attractions; campgrounds and any other business operation. A vested water right can be claimed for water uses beginning on or prior to February 28, 1955, for ground water or March 2, 1955, for surface water.
2. 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.

Please complete and return the enclosed application forms, with the required fee, to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by August 9, 1993. You may contact Parry McLaury at 605-773-3352 if you don't believe your water use requires a permit or if you need assistance.

Very truly yours,

FOR DUVALI, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
enclosure