

Considered: _____

WATER PERMIT NO. 301A-1

HAP No. same

Name of Applicant Black Hills Chair Lift Co.

Post Office Address P.O. Box 774, Lead SD 57754

Amount of Water Claimed 2.13 cfs 110 ac-ft annually Total Acres NA

Source of Water Supply Ben Hur Mine ground water

Water to be used for commercial purposes County Lawrence

About 2 miles W of Lead

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received July 20, 1987 Fee 150⁰⁰ Remarks _____

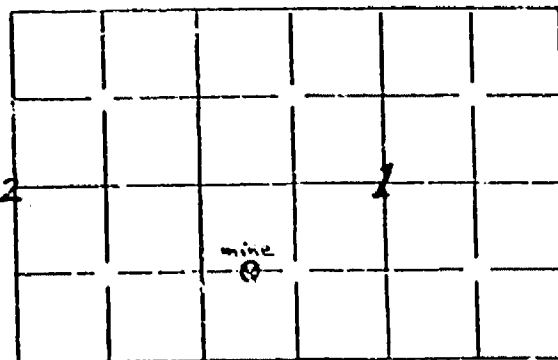
Corrected Application Received _____ Period of Annual Use Oct 1 - Feb 28

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

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

Diversion Point Ben Hur Mine: near center of
the W $\frac{1}{2}$ S $\frac{1}{4}$ section 1 - T4N-R2E

Land to be Irrigated NA



Well Log: Driller several drillers (see app'l.) License! YES _____ NO _____

Depth of Well 850 feet REMARKS _____

Type of Map plat PREPARED BY John M. Arleth Reviewed and the Number
assigned on July 20, 1987 By Ben Dussell

No. 301A-1 Hydrologic Unit 10120202
 Map No. sams Basin Bulle Fourche R
 Newspaper Lead Daily Call, PO Box 976

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

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

Type of Application: Check one or more of the following

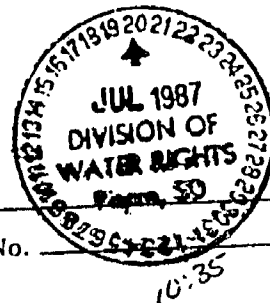
New ☒ Vested Right ☒ Future Use ☐ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained.

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☐ Construction to use water reserved by Future Use Permit No. _____



1. Name of Applicant Black Hills Chair Lift Co. Phone No. (605) 584-2165

Post Office Address P. O. Box 774 Lead State SD Zip Code 57754
(Street, RR or Box)

2. Amount of water claimed (c.f.s) 960 gpm 110 acre ft. / yr. 2.13 CFS

3. Source of water supply Ben Hur Mine (T4N, R2E, Sec. 1)

4. Location of point of diversion SW 1/4 Sec. 1, T4N, R2E (see ARLRTH map) near
center of W_{1/2}SW_{1/4}

Lawrence County South Dakota

5. Counties where water will be used Lawrence, South Dakota

6. Annual period during which water is to be used Oct. 1 through Feb 28 annually

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

Snowmaking, ski trails Terry Peak Ski Area
(see attached sheet)

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

STATE OF SOUTH DAKOTA,
 County of LAWRENCE) ss

I, Paul Gregory Akrop, President Black Hills Chair Lift Co. the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Paul Gregory Akrop

Subscribed and sworn to before me this 17 day of July 1987

Dennis Poturuck
 Notary Public (or other qualified officer)

4-18-90
 expires

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 13 3/4 in. Depth 850 ft.
- b) Casing Type Steel Diameter 12 in. 10 Thickness .188
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth of Water (ground surface to water level) 710 ft.
- g) Distance to nearest existing domestic well:
 *** (see note on attached
 On applicants property sheet *** On property owned by others NE 1 mi.

2. Dugout Information Estimates

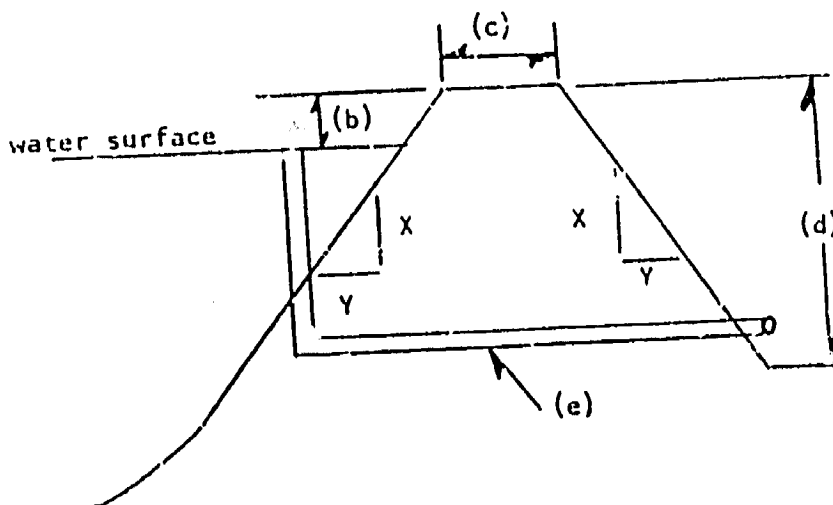
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

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

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

- b) Freeboard _____
- c) Crest Width _____
 Crest Length _____
- d) Height _____
- e) Outlet Dimensions:
 Pipe diameter _____
 Spillway width _____
- f) X & Y Slope
 Upstream _____
 Downstream _____
- Surface Area of Impoundment _____
- Storage _____ acre feet
- Drainage area above dam _____



Gregory Akrop
 Gregory Akrop, President

ADDITIONAL INFORMATION

Snowmaking is a non consumptive use of water, as it is stored in a solid state until spring melt, when it is returned to the watershed. Approximately 30% is lost to evaporation and sublimation.

The well used for snowmaking at the Terry Peak Ski Area, owned by Black Hills Chair Lift Co., is located in such a manner as to be able to obtain water from the Ben Hur Mine. Work on the well began in the spring of 1978. Several well drillers were involved in the project including, Brice & Taylor Drilling Co., Rapid City, SD, Joe Johnson Drilling, Terry, MT., and Homestake Mining Company, a California Corporation, (operating Lead, SD).

The well was completed in the fall of 1979. A well log is not available at this time. The well has been used since the fall of 1979 and is used during the fall and early winter.

*** Water Permit #301-1. Black Hills Chair Lift Co. 3620 ft., S 38° 24' W of the NE Cor., Sec. 1, T4N, R2E. (approximately 2500 ft. NE of snowmaking well.

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 301A-1

Black Hills Chair Lift Co. P.O. Box 774
(Applicant) (Street, RR or Box)
Lead, South Dakota 57754
(City) (State) (Zip Code) With the following qualifications.

Date of first receipt of application July 20, 1987

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application _____, 19____. Approved September 9, 1987

The Water Management Board approved this Water Permit No. 301A-1 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is July 20, 1987.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before March 9, 1990.
3. The whole of said work is to be completed on or before September 9, 1992.
4. The limit of time for proof of beneficial use of water appropriated in accordance herewith is September 9, 1996.
5. The water appropriated shall be used for the purpose of commercial use for snow-making.
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation granted shall not exceed 2.13 cubic feet per second; neither shall it exceed the amount of water needed for the beneficial uses served and to which water is actually and beneficially applied for commercial on or before September 9, 1996. The water is to be used during the following described annual period: October 1 - February 28.

WATER MANAGEMENT BOARD

By: John Hatch Chief Engineer JOHN HATCH
Division of Water Rights
Dept. of Water and Natural Resources

NOV 3 1987

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, July 20, 1987, 19

RECEIVED OF Black Hills Chair Lift, PO Box 774, Lead SD 57754
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>301A-1</u> to Appropriate Water, to construct works and to put water to beneficial use	150	00
Fee for Application for Permit No. <u> </u> to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. <u> </u> after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u> </u>		
Fee for Filing Transfer Form <u> </u>		
Fee for Filing Extension Request <u> </u>		
Fee for Certified Copy of <u> </u>		
Fee for Print Copy of Map <u> </u>		
Fee for Certifying <u> </u>		
Fee for <u> </u> (Any Other Work Provided by Law)		
Total	150	00

By John Hatch
Chief Engineer **JOHN HATCH** (kn)

REPORT ON APPLICATION NO. 301A-1
BLACK HILLS CHAIR LIFT CO.
July 31, 1987

This application proposes to appropriate 2.13 cfs (110 acre-feet annually) from one well 850 feet deep which penetrates into the Ben Hur Mine Shaft located near the center of the W 1/2 SW 1/4 of Section 1, T4N, R2E BHM. The water is used for snow-making purposes at the Terry Peak Ski Area.

Aquifer - Precambrian Rocks (actually pumping out of a mine)

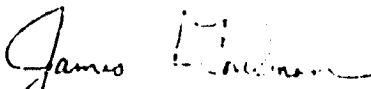
The geology in this area is complicated. Surface exposures are the Deadwood sandstone and Tertiary intrusives. The Tertiary intrusives cut through the normal sequence of Precambrian rocks overlain by sedimentary formation. There are faults and fractures in the area. Groundwater has filled the Ben Hur Mine and the well was drilled into or near the mine in order to tap the mine as a water source. The well is capable of producing 960 gpm according to the application. The system has been in use since 1979.

Review of Existing Water Permits

The only Water Right in this area is No. 301-1 which is issued to the applicant. This right is for 0.016 cfs from one well 50 feet deep. It is doubtful this well produces water from the same source as the mine.

Conclusions

1. Water is available. The well has been in use for these purposes.
2. The water source is an abandoned mine which has filled with groundwater.

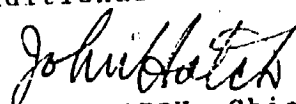

JAMES GOODMAN
Hydrologist

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 301A-1

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 301A-1, Black Hills Chair Lift Co., PO Box 774, Lead SD.

The Chief Engineer is recommending APPROVAL of Application No. 301A-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
August 4, 1987

SOUTH DAKOTA
Department of
Water & Natural Resources

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

Water Rights Division
(605) 773-3352

August 5, 1987

NOTE:

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

Black Hills Chair Lift Company
PO Box 774
Lead, South Dakota 57754

Dear Sir:

Your Application No. 301A-1 for a permit to appropriate water for
commercial use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Lead Daily Call printed at Lead
South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER 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 at least twenty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,



RON DUVAL
Natural Resources Engineer

enclosures

Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

August 5, 1987
Lead Daily Call
PO Box 876
Lead, South Dakota 57754

Dear Sir:

Enclosed is a Notice of Hearing to Application No. 301A-1. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on or before August 12, 1987.

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 Black Hills Chair Lift Co., PO Box 774, Lead, South Dakota 57754.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. 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 before 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. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE
No. _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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 publication of the following Notice on or before August 12, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 301A-1 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Black Hills Chair Lift Company whose mailing address is PO Box 77A, Lead, South Dakota has made an application for a permit

to appropriate 2.13 cubic feet of water per second (110 acre-feet annually) from one well 850 feet deep into the Ben Hur Mine shaft located near the center of the W-5N-4E Section 1-T4N-R2E. Water is used for snow-making purposes at the Terry Peak Ski Area.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 301A-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 215, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, September 9 19 87 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by August 28, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

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

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by August 28, 1987.

No. 301A-1

NOTICE OF HEARING
ON APPLICATION
NO. 301A-1 TO
APPROPRIATE WATER

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lawrence) ss.

I, Jimmie R. Stephenson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Lead Daily Call

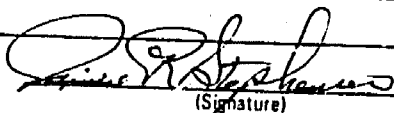
A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

City Lead of Lead

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

August 12th, 1987

August 19th, 1987


(Signature)

Publisher
(Title)

August 19th, 1987
(Date Signed)

Cost of Printing:

8/12 - 97 lines x .2564 = \$24.87

8/19 - 97 lines x .2051 = 19.90

total \$44.77

Notice is hereby given that Black
Hills Chair Lift Company whose
mailing address is PO Box 774,
Lead, South Dakota has made an
application for a permit to
appropriate 2.13 cubic feet of water
per second (110 acre-feet annually)
from one well 850 feet deep into the
Ben Hur Mine shaft located near the
center of the W1/2SW1/4 Section 1-
T4N-R2E. Water is used for snow-
making purposes at the Terry Peak
Ski Area.

Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water Rights
Division recommends APPROVAL
of Application No. 301A-1 because
1) unappropriated water is available,
2) will be no lawful impairment of
existing rights, 3) is beneficial use of
water and 4) is in the public interest.

This application will be considered
by the Water Management Board at
room 215, Joe Foss Building, 523
E. Capitol, Pierre, South Dakota,
September 9, 1987 at 10:00 am.

The recommendation of the Chief
Engineer is not final or binding upon
the Board and the Board is authorized
to 1) approve, 2) approve with
qualifications, 3) defer, or 4) deny this
application after it reaches a
conclusion, based upon facts presented
at the public hearing. Any interested
person who may be affected by a
Board decision and who intends to
participate in the hearing before the
Board and present evidence or cross-
examine witnesses according to SDCL
1-26, must file a written petition with
BOTH the applicant and the Chief
Engineer by August 28, 1987. The
petition may be informal, but it must
include a statement describing the
petitioner's interest in the application,
the reasons for the petitioner's
opposition to or support of the
application, and the signature and
mailing address of the petitioner or
his legal counsel if legal counsel is
obtained. The applicant need not file
a petition.

This application is made pursuant
to the provisions of SDCL 46-1-1 thru
46-1-9, 46-1-12 thru 46-1-15; 46-2-
3.1, 46-2-9, 46-2-11-46-2-13, 46-2-17;
46-2A-1 thru 46-2A-10, 46-2A-12,
46-2A-14, 46-2A-15, 46-3-1 thru 46-
3-11, 46-3-13 thru 46-3-15, 46-3-24,
46-3-25, 46-3-30.2 46-3-30.4, 46-3-31;
46-6-3, 46-6-3, 46-6-3.1, 46-6-6.1, 46-
6-10, 46-6-13, 46-6-14; and Board
Rules ARSD 7:02:01.01 thru
74:02:01:15.

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

Any person wishing a copy of the
Chief engineer's recommendation,
further information on this
application or to assure access to the
hearing by the handicapped can
contact the Water rights Division,

DWNR, Joe Foss Bldg. Pierre SD (605
773-3372) for assistance prior to the
hearing date. The time of the hearing
will be automatically extended for at
least twenty days upon written request
of the applicant or any person who
has filed a petition to oppose or
support the application. The request
for extension must be filed with the
Chief engineer by August 28, 1987.

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

NOV 3 1987

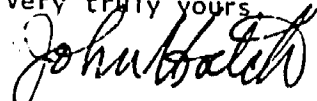
Black Hills Chair Lift Co.
P.O. Box 774
Lead, South Dakota 57754

Dear Sir:

Enclosed herewith is your Water Permit No. 301A-1 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 301A-1.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:MS

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

Permit No. 301A-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

I have this day, September 18, 1997, made a thorough examination of the water use system constructed by Black Hills Chair Lift Company of Lead, SD holder of Permit No. 301A-1, bearing the priority of July 20, 1987 authorizing the diversion of 2.13 cu. ft. per second and/or the annual use of 110 acre-feet of the waters of groundwater for commercial purposes, in Lawrence County.

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

A. Works used to divert the water:

Water is diverted from the Ben Hur Mine via a well with 12-inch diameter casing located in the NW¼ NE¼ SW¼ Sec. 1, T4N-R2E. Water is pumped with a 300 horsepower Goulds Submersible Pump capable of diverting 960 gallons per minute.

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

Water is pumped to a nearby water tower and 40,000 gallon storage tank. Water is pumped from the storage tank through 3352 feet of 8-inch diameter steel pipe to a valve house at the summit of Terry Peak

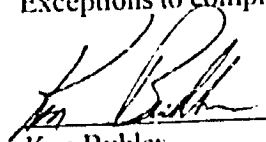
C. Works used to apply water to beneficial use:

Water is diverted through approximately 14,250 feet of five 6-inch diameter steel pipe that contains to 81 hydrants. Twenty snow making guns are be attached 2-inch diameter hoses are used to attach 20 snow guns to the hydrants.

The system is in the following condition good. The point of diversion is located 1315 feet north and 707 feet east of the south west corner of Sec. 1, T4N-R2E. The works are capable of diverting and conveying to the place of use 2.13 cu. ft. per second of water which is to be used for snowmaking. The license should be issued for 2.13 cfs and 110 acre-feet annually.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: na



Ken Buhler
Natural Resources Engineer
DENR, Water Rights Program

2/11/98

Date

REPORT ON INSPECTION OF PERMIT NO. 301A-1

Other permit(s) associated with the project: 301-1

NAME & ADDRESS OF INSPECTION CONTACT Greg Akrop

PO Box 774

Lead, SD 57754

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: President of Black Hills Chair Lift Co.

NAME & ADDRESS OF PERMIT HOLDER: Black Hills Chair Lift Company

PO Box 774

Lead, SD 57754

DATE OF INSPECTION: September 18, 1997

DIVERSION POINT LEGAL LOCATION: 1315 feet north and 707 feet east of the south west
corner of Sec. 1, T4N-R2E, (NW¼ NE¼ SW¼ SW¼ Sec.
1 T4N-R2E

WELL INFORMATION:

1) Well Drilling Firm: Several: Taylor Drilling, Joe Johnson Drilling, and Homestake Mining Co.
all worked on the well

2) No. of Wells one

3) Depth(s) 850 feet

4) Well log is available no

Casing:

1) Diameter 12 inches

2) Length unknown feet

3) Type steel

Screen:

1) Type none- completed into the Ben Hur Mine

Well Pump:

1) Make Goulds Submersible Pump

2) Size 300 Horsepower

3) Capacity 960 GPM

Well Motor:

- 1) Make Mitsubishi Electric
- 2) Model No. WSB
- 3) Serial No. ADD125001
- 3) Horsepower rating 300 hp

Charge Pump:

- 1) Make Sta Rite
- 2) Model No. OITS840109
- 3) Serial No. 2664PT

Charge Pump Motor:

- 1) Make Century Pump Motor
- 2) Frame No. 286JP
- 3) Part No. 6-33021-01
- 4) Horsepower rating 30 hp

BOOSTER PUMP INFORMATION:	
Pump:	Pump:
1) Make <u>Goulds</u>	1) Make <u>Goulds</u>
2) Model <u>VIC</u>	2) Model <u>VIC</u>
3) Serial No. <u>304879-1</u>	3) Serial No. <u>304875-2</u>
4) Size: <u>4X10 AHC, 5 stage</u>	4) Size: <u>4X10 AHC, 5 stage</u>
5) Capacity <u>500</u> GPM, Head <u>900</u> feet	5) Capacity <u>500</u> GPM, Head <u>900</u>
Motor:	Motor:
1) Make <u>General Electric</u>	1) Make <u>General Electric</u>
2) Serial No. <u>FPJ1004100</u>	2) Serial No. <u>KPJ1004100</u>
3) Model No. <u>5K6268XH4017A</u>	3) Model No. <u>5K6268XH4017A</u>
4) Horsepower rating <u>150</u> hp	4) Horsepower rating <u>150</u> hp

DISTRIBUTION LINES OR CANALS:

- | | | |
|----------------------|-------------------------|---|
| 1) Type <u>steel</u> | 2) Size <u>8</u> inches | 3) Length <u>3352</u> feet (Well to valve house at summit) |
| 1) Type <u>steel</u> | 2) Size <u>6</u> inches | 3) Length <u>3352</u> feet (Valve house to Stewart run) |
| 1) Type <u>steel</u> | 2) Size <u>6</u> inches | 3) Length <u>1175</u> feet (Valve house to Surprise run; |
| 1) Type <u>steel</u> | 2) Size <u>6</u> inches | 3) Length <u>3350</u> feet (Valve house to Ben Hur run) |
| 1) Type <u>steel</u> | 2) Size <u>6</u> inches | 3) Length <u>2682</u> feet (Valve house to Kessey run) |
| 1) Type <u>steel</u> | 2) Size <u>6</u> inches | 3) Length <u>3690</u> feet (Valve house to Express run) |

SYSTEM SUMMARY:

Water is pumped from the well to a nearby water tower to disperse heat, from the tower the water gravity feeds a 40,000 gallon storage tank. Two booster pumps charged by a centrifugal pump water to a valve house at the summit where it is gravity feed through five 6-inch lines to 81 hydrants. 2-inch diameter hoses are used to attach 20 snow guns to the hydrants.

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period n/a



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 25, 1998

301A-1

Black Hills Chair Lift Co.
%Greg Akrop
P.O. Box 774
Lead, SD 57754

Dear Mr. Akrop:

The investigation of your water use system was conducted on September 18, 1998, by Ken Buhler, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 301A-1. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

JD 415674

Pierre, _____ March 9, 1928 _____

RECEIVED OF Black Hills Chair Lift, P.O. Box 774, 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. 301A-1

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By

Chief Engineer

John H. H. H. H. (Signature)



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

APR 23 1998

301A-1

Black Hills Chair Lift Co.
Greg Akrop
P.O. Box 774
Lead, SD 57754

Dear Mr. Akrop:

Enclosed is Water License No. 301A-1 and Receipt No. 415674 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 301A-1 is the final document which completes the process of obtaining a water right.

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

Very truly yours,

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

ks
enclosures

STATE OF SOUTH DAKOTA

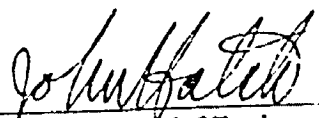
WATER LICENSE NO. 301A-1

(1) Black Hills Chair Lift Co., PO Box 774, Lead SD 57754 made Application No. 301A-1, July 20, 1987 for a water permit to divert 2.13 cubic feet of water per second (110 acre-feet annually) from groundwater (one well), Lawrence County, South Dakota for commercial purposes. Permit No. 301A-1, with a priority date of July 20, 1987 was approved September 9, 1987 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 9, 1992 and for the application to beneficial use of said water on or before September 9, 1996.

(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 2.13 cubic feet of water per second for beneficial use. The location of the diversion point is 1,315 feet north and 707 feet east of the south west corner of Section 1-T4N-R2E (SW 1/4 SW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for snow-making at the Terry Peak Ski Area.

(4) Pursuant to South Dakota Water Law 46-5-39.1 Black Hills Chair Lift Co., PO Box 774, Lead SD 57754 the holder and/or owner of Water Permit No. 301A-1 is issued a license to appropriate water, the right to use 2.13 cubic feet of water per second (110 acre-feet annually) from groundwater (one well) with a priority date of July 20, 1987 from the location specified in (2) of this license for the purpose of commercial use. This license is subject to any limitations or qualifications listed in Water Permit No. 301A-1 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

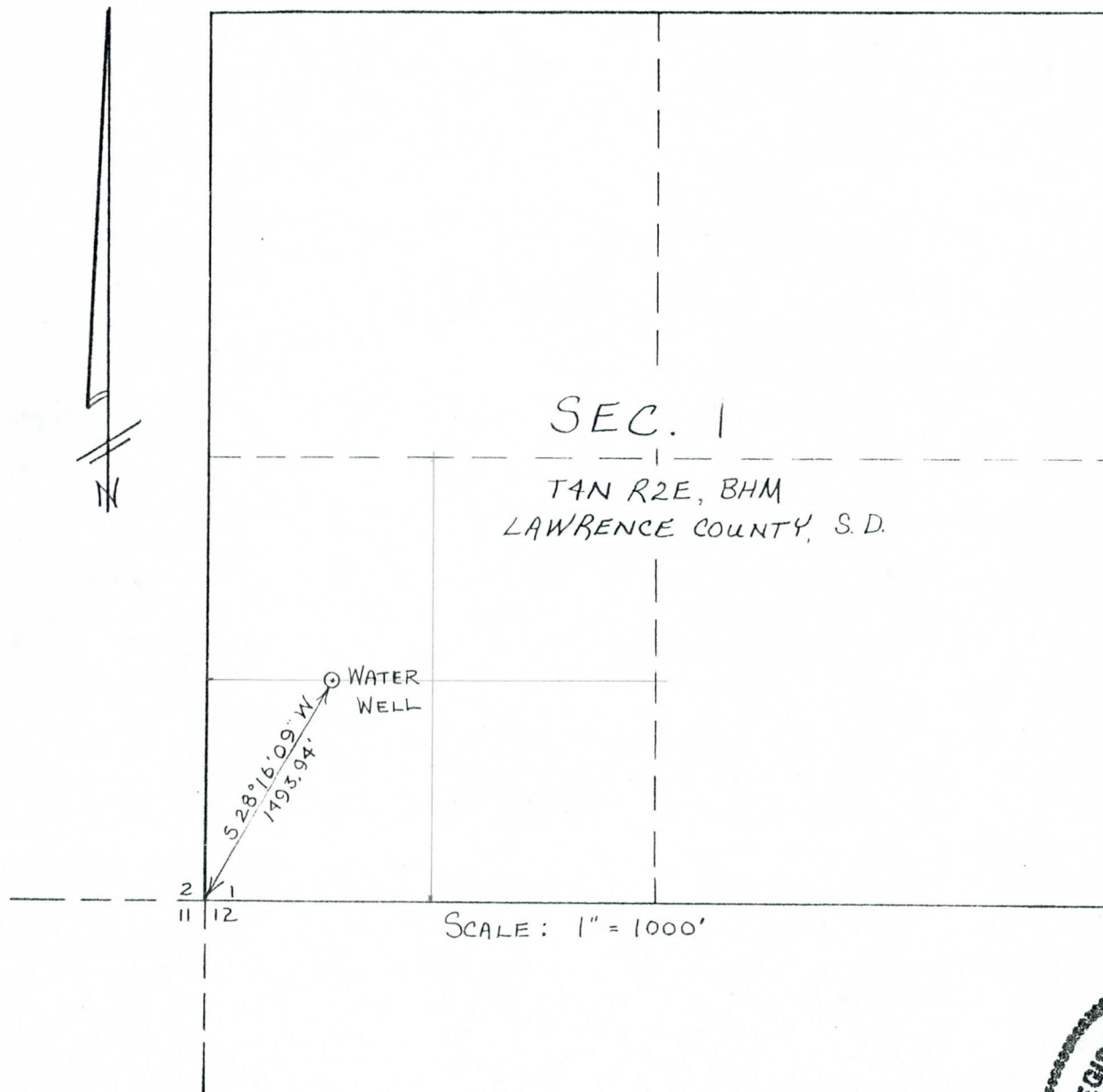
APR 23 1998

date



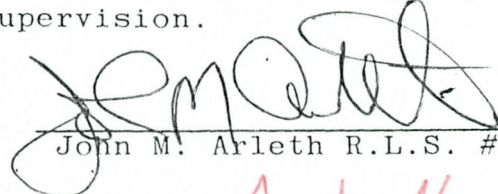
301A-1

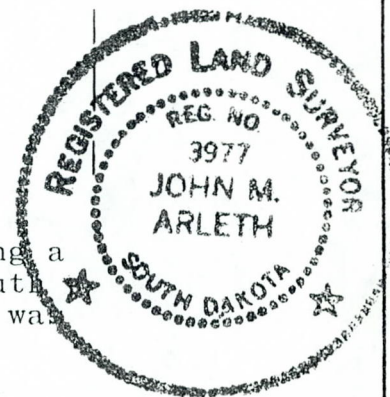
WELL LOCATION MAP



I, John M. Arleth, 24 Cliff St., Deadwood, S.D., being a Registered Land Surveyor in and for the State of South Dakota, do hereby certify that the well shown above was surveyed under my direct supervision.

JUNE 26, 1987
Date


John M. Arleth R.L.S. #3977



Appl. No. 301A-1

3014-1

35

36

NATURAL RESOURCES ENGINEER
WATER RIGHTS PROGRAM

Mine

6393

SEC 1 T4N R2E

Mine

Trojan

Green Mtn

Bald Mountain

6617x

6200

6200

6296

6483

6400

Terry

6000

652' 6" STEEL
LIFT

1175' 6" STEEL
LIFT

3350' 6" STEEL
LIFT

2481' 6" STEEL
LIFT

3353' 8" STEEL
WELL TO VALVE HOUSE LINE

WEL

701'

315'

LIFT

3690' 6" STEEL

Lookout Tower

Terry Peak

7064

Radio Tower

6000

3014-1