

Water Right Number 1135-2

1. Considered January 24, 19 73

2. Name of Applicant Utility Engineering Corporation

3. Post Office Address Rapid City, S.D.

4. Amount of water claimed .03

5. Source of water supply ground water

6. Water to be used for Commercial operation of a guest ranch

Acres to be irrigated _____

7. Water to be diverted and used in Pennington County

about 25 Miles of Mt Rushmore

8. Proof of Publication

Received 1-15-73

Not received _____

9. Application

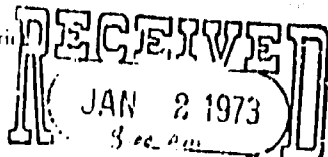
Approved _____

Subject to _____

Not approved _____

Action deferred _____

10. Remarks:

No. 1135-2Map No. 965-2 Water Division No. 2 RAPID CREEK
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant -Utility-Engineering-Co. paration-John Kinyon
 Postoffice address -Suite-800,-625-Ninth-Street-Echo Valley, Keystone, Rapid City, South Dakota 57701--
 If a corporation show date and place of incorporation February 4, 1972 Rapid City, South Dakota
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Echo Valley Guest Ranch
4. Amount of water claimed (cubic feet per second) .031 ft.³/sec.
5. Source of water supply Well
6. Location of point of diversion E₂, SW₄, Section 6, Township 2S, Range 6 East, BHM
S61°08'E, 3132.3 FEET TO THE SE CORNER, SECTION 6, T2S, R6E
 County Penningson CUSTER
7. Annual period or periods during which water is to be used Continuously
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) COMMERCIAL - GUEST RANCH
Municipal
9. For irrigation use, Total number of acres to be irrigated None

List below each forty acre subdivision, or lot or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 month years. Additional time required to complete application of water to the proposed beneficial use 1 month years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Rapid City Journal, Rapid City, S.D.
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source.

54 ft. deep well

B. Works proposed to transport water to place of use.

Water distribution system consists of 640 ft. of 2-inch mains and two 120 gallon pressure tanks.

C. Works proposed to apply water to beneficial use.

3/4 inch service lines to individual homeEstimated Total Cost \$ 8,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of PenningsonI, FLOYD L. MATTHEW

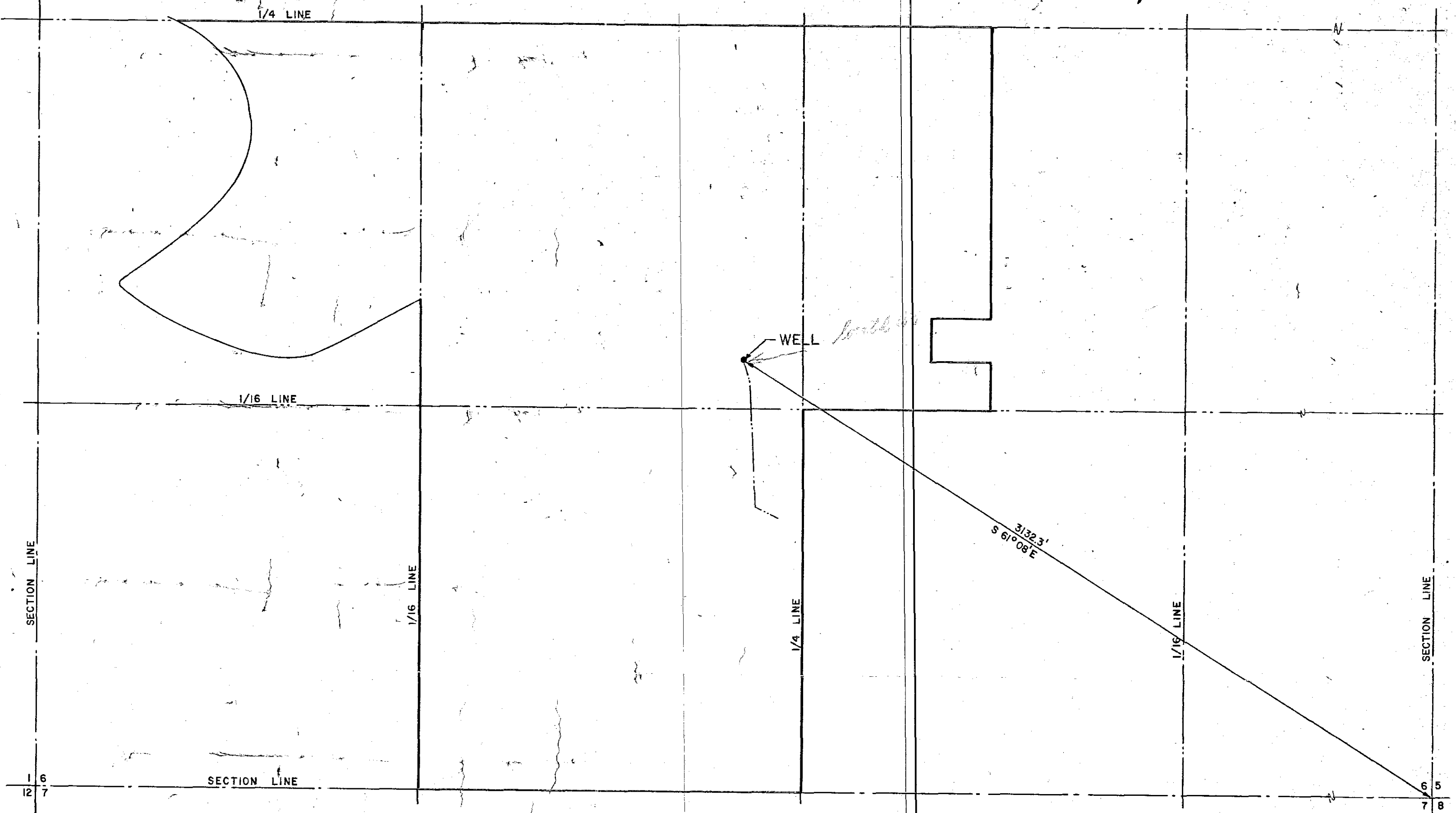
the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed

FLOYD L. MATTHEW
Vice PresidentSubscribed and sworn to before me this 29 day of DECEMBER 1972Samuel C. Aldinger
Notary Public (or other qualified officer)My Comm. expires 3-26-78

ECHO VALLEY

E 1/2 OF THE SW 1/4 OF SECTION 6; EXCEPTING THE ENGBERG SUBDIVISION; AND THE UNPLATTED PORTION OF GOVERNMENT LOT 8 LYING EAST AND NORTH OF THE COUNTY ROAD RIGHT-OF-WAY IN THE SW 1/4 SECTION 6; AND THE UNPLATTED PORTION OF THE W 1/2 OF GOVERNMENT LOT 7 OF SECTION 6, ALL IN T2S, R6E, EAST OF THE BHM, LESS RAILROAD AND COUNTY ROAD RIGHTS-OF-WAY, ALL LOCATED IN PENNINGTON COUNTY, SOUTH DAKOTA.



CERTIFICATE OF SURVEYOR

State of South Dakota
County of Pennington s.s.

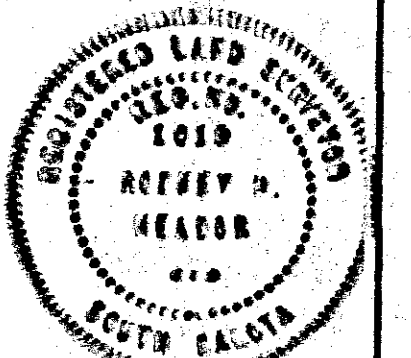
I, Rodney H. Meador, Registered Land Surveyor No. 1019 of the State of South Dakota, do hereby certify that being so authorized I made the survey and within plat of the land shown and described hereon and that the same is, in all things, true and correct.

Registered Land Surveyor: Rodney H. Meador
S.D. 1019

On the 27th day of December, 1992, before me, a Notary Public, personally appeared Rodney H. Meador, known to me to be the person described in the foregoing instrument and acknowledged to me that he signed the same.

Notary Public: Malcolm J. Nelson
My commission expires: 9-10-98

LEGEND:
WATER MAINS
WELL



WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1135-2

UTILITIES ENGINEERING CORPORATION ~~XXXXXX~~ SOUTH DAKOTA ~~XXXXXX~~ RAPID CITY ~~XXXXXX~~
 (Applicant) John Kinyon, Echo Valley (Post Office Address)
SOUTH DAKOTA Keystone, SD 57751
 (State) With the following modifications:

THIS PERMIT IS ISSUED TO THE UTILITIES ENGINEERING CORPORATION,
 AND IS VALID AS LONG AS BENEFICIAL USE OF WATER IS MADE
 BY THE INSTALLATION WITHIN THE AREA SERVED BY THE CORPORATION.

Date of first receipt of application JANUARY 2 19 73
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application — 19 —
 Approved JANUARY 24 19 73 Recorded in Book 12 Page 181

WATER RIGHT PERMIT NO. 1135-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1135-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JANUARY 2 19 73
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before FEBRUARY 5 19 73
3. The whole of said work is to be completed on or before FEBRUARY 24 19 73
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 24 19 73
5. The water appropriated shall be used for the purpose of COMMERCIAL USE (GUEST RANCH)
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 injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed .03 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for ~~beneficial use~~ ~~and if for the irrigation purpose, the appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-twentieth (1/20) of the annual flow of water per acre of land for which water is~~ USED FOR COMMERCIAL PURPOSES on or before MARCH 24 19 73 said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 26TH day of JANUARY 19 73

WATER RESOURCES COMMISSION

By

Jeff G. Gendron
 Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 20 19 81Water License Issued JANUARY 20 19 81

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter 6', Depth 54'
 (2) Casing, Type Steel (wood, concrete, steel, etc), Diameter 6" Thickness .280"
 (3) Perforated Screen.
 Type None, Diameter _____, Length _____
 (4) Gravel Pack, Thickness 3.5", Length of gravel pack 21'

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials (See Attached Driller's Log)

Depth to top of water bearing material 13'
 Depth to bottom of water bearing material 49'
 Thickness of water bearing material 36'
 Depth to water (ground surface to water level) 11'

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 1000 ft. On property owned by others 1200 ft.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Hop L. Stebbins President
 Signature of Applicant

DRILLER'S LOG OF WELL

Location of Well: _____
Well to be drilled for: Echo Valley Guest Lodge
Owner of land (if other than above): Garcia
Date well drilling started Oct. 10 '22 finished Oct 18 '22
Purpose of well domestic
(domestic, irrigation, municipal, industrial, other)

(domestic, irrigation, municipal, industrial, other)

Diameter		
6 1/2		inches
0-5	Feet	Loam
5-15	Feet	Boulders & clay. 1190-2500 ft. layers Describe kind of materials drilled through add layers on back of form if necessary
15-28	Feet	Boulders, clay, some gravel.
28-30	Feet	Sandy clay. 690 ft. H ₂ O.
30-36	Feet	Slate - Benton clay. mixed. H ₂ O - 6 gal/min. Sand coming in penetrations
36-54	Feet	31-32. red H ₂ O. 33-34. white clay 37-40. quartzite 39-41. S/A. water 44-47. S/A. bedding material 49-51. black 49-52. - (400 ft.) 52-54. Granite white -

Ground Surface Elevation: _____
(If Available)

Kind and thickness of casing to be installed:

Stek - 1/4"

Size of casing to be installed:

34' feet of 6 inches diameter

_____ feet of _____ inches diameter

_____ feet of _____ inches diameter

Type of Seal between casing sizes:

(None)

Kind of perforated screen to be installed:

Material _____
(steel, wood, concrete, etc.)

Size of Screen:

Diameter _____ inches

Length _____ feet

Size openings _____ inches

Depth below ground surface to which water rises
in well 9 feet.

Note: Final Bailing - 11 gal/min. bailed for 1 hr, ^{meaning} after
much packing and sealing.
Recommend installing pump at 118' $\pm$ level.

Very Respectfully

Publish first publication, on or before January 11, 19 73NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 2, 19 73Notice is hereby given that Utility Engineering Corporationwhose post office address is Rapid City, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use .03 cubic feet of water per second of time from the ground waterEcho Valley Guest Ranch Well through the _____, the point of diversion of which is to be located in the _____NE 1/4 SW 1/4of Section 6, Twp. 28, Range 6E. Said water to be used for the purpose of providing ~~irrigation on the water right associated land~~ supplies for commercial operation of a guest ranchThis application No. 1135-2 will be considered by the Water Resources Commission at their office at Pierre upon the 24th day of January, 19 73, at 2:00 P. M. All interested persons may appear and be heard

WATER RESOURCES COMMISSION

By:

BURTON Y. JONES, Water Rights Specialist

cc: Floyd L. Matthes, Pres., Utility Engineering Corp., Suite 800, 625 9th Street,
Rapid City, S.D. 57701

No. 1135-2-

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Pennington) ss.

I, Mary Lippert hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Rapid City Journal

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

Town of Rapid City
County of Pennington and State of South Dakota,
that the said notice was published in said newspaper on the following
two dates:

Jan. 5 1973

Jan. 12 1973

Mary Lippert
(Signature)

Legal Bookkeeper
(Title)

1-12-73
(Date Signed)

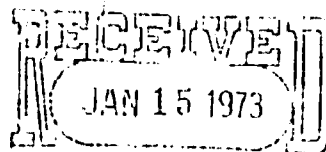
JAN. 5, 1973
No. 11052

**NOTICE
INTENT TO APPROPRIATE WATER**
Pierre, South Dakota 57501
January 2, 1973

Notice is hereby given that Utility
Engineering Corporation whose post office
address is Rapid City, South Dakota,
has made an application in accordance
with the provisions of the water laws
of South Dakota for a permit to ap-
propriate for beneficial use .03 cubic
feet of water per second of time from
ground water through the Echo Valley
Guest Ranch Well, the point of diver-
sion of which is to be located in the
NE1/4 of Section 6, Twp. 25, Range
15, said water to be used for the pur-
pose of providing supplies for commer-
cial operation of a guest ranch.

This application No. 11052 will be
considered by the Water Resources Com-
mission at their office at Pierre upon
the 14th day of January, 1973, at 2:00
p.m. All interested persons may appear
and be heard.

WATER RESOURCES COMMISSION
By: BURTON F. JONES,
Water Rights Specialist
cc: Floyd L. Mathew, Pres., Utility
Engineering Corp., Suite 605, 225 9th
Street, Rapid City, S.D. 57701



STATE WATER RESOURCES
PIERRE, SOUTH DAKOTA

Permit No. 1135-2

Water Diversion No. 2 Rapid Creek Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That John Kinyon

_____ the holder _____ of
Permit No. 1135-2, issued upon Application No. 1135-2, bearing date of priority of January 2,
1975 authorizing the diversion of .03 cu. ft. per second of the waters of _____
groundwater (one well) County of Pennington, State of South Dakota at _____
point south 61° 08' east, 3132.3' to Corner, Sec. 6-T2S-R6E
_____, for Commercial - Guest Ranch

purposes, has S 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 .03 cu. ft. per second of water.

Date January 2, 1931

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

WATER LICENSE NO. 1135-2

(1) WHEREAS On the 2nd day of January A. D. 19 73
Utility Engineering Corp.
made Water Right Application No. 1135-2 for a permit to use .03 cubic feet per second of the waters
of groundwater (one well)
County of Pennington, State of South Dakota, for commercial
purposes; and

(2) WHEREAS, On the 24th day of January A. D. 19 73
Permit No. 1135-2, with a date of priority of January 2, 1973
was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 24th day of February A. D. 19 73 and for the
application to beneficial use of said water on or before the 24th day of March A. D. 19 73

Whoreas, on the 5th day of January 1981, this Permit No. 1135-2
was transferred to John Kinyon, Echo Valley, Keystone, SD

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert .03 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,
water to be used for commercial purposes

(5) 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 John Kinyon

_____ of Keystone, SD

the holder _____ and owner _____ of said permit No. 1135-2 a water right, dating from January 2, 1973

_____ to use of .03 cubic feet per second of the waters of groundwater (one well)

in the County of Pennington and State of South Dakota, or so much thereof as may be necessary for the purposes hereinafter mentioned, to be diverted at a point south 61° 03' east, 3122.3' to Corner, Section 6-T2S-R6E

and conducted ~~to and upon~~ thru the guest house's distribution system

for the purpose of Commercial use

Subject to any limitations listed in Water Right Permit No. 1135-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 20th day of January A. D.
Nineteen Hundred and eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 1135-2Water Division 2 Rapid Creek Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by John Kinyon
 of Echo Valley, Keystone, S. Dak. holder
 of Permit No. 1135-2, bearing date of priority of January 2, 1973
 authorizing the diversion of .03 cu. ft. per second of the waters of Well
 for Commercial - Guesz Ranch purposes, in Pennington County.

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

The Water Use System consists of:

A. Works used to divert the water:

Submersible Pump.
Pumping 15 gpm

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

PVC Mains to Houses and Buildings on the
Property

C. Works used to apply water to beneficial use.

Households and Offices and Barns.

The system is in the following condition: Good

The point of diversion is located S 61° 08' E 3132.3 ft to Cor. Sec. 6
T 2 S R 6 E

The works are capable of diverting and conveying to the place of use .03
 cu. ft. per second of water which is to be used for Commercial Purposes

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

None for .03 cfs.

Well data:

Depth. 57 ft.

Date August 5, 1980
Leroy J. McLaughlin
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7878

PIERRE, January 5, 1931

RECEIVED OF F. John Kinyon, 716 Myrtle, Rapid City, SD 57701

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

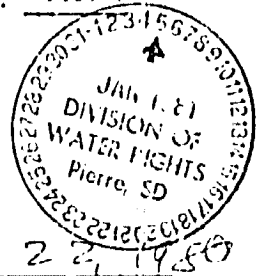
Fee for Application for Permit to appropriate Water No. _____ (examination, processing, recording and filing) _____	
Fee for inspecting Construction, and Issuing Cert. of Construction No. 1135-2	12.00
Fee for inspecting Beneficial Use, and Issuing Water License No. 1135-2	
Fee for Issuing Location Certificate-Dry Draw, No. _____	
Fee for filling _____	
Fee for certified copy of _____	
Fee for Print copy of map _____	
Fee for Certifying _____	
Fee for _____ (any other work as provided by law)	
TOTAL	12.00

WATER RIGHTS COMMISSION

By *Wm. Hatch*
Chief Engineer, Executive Officer
JAN 11 1931

NOTICE OF TRANSFER OF WATER PERMIT

NO. 1135-2



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Dec. 22, 1980

This is to notify you that the title to the lands described as follows:

Portions of E $\frac{1}{4}$, SW $\frac{1}{4}$ Section 6, T2S, R6E

formerly owned by Utilitu Engineering Corporation
has been transferred to John Kinyon, Echo Valley, Keystone SD
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 1135-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit"
in its appropriate file at the Office of Water Rights, Water Management Board as
evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees
as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Pennington) ss.

I, F. John Kinyon 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 I know of my own personal knowledge that the infor-
mation herein stated is true.

F. John Kinyon
(Signed)

Subscribed and sworn to before me this 22nd Day of December, 1980.

Alberta A. Bailey
(Notary Public)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7877

PIERRE, January 5, 1931

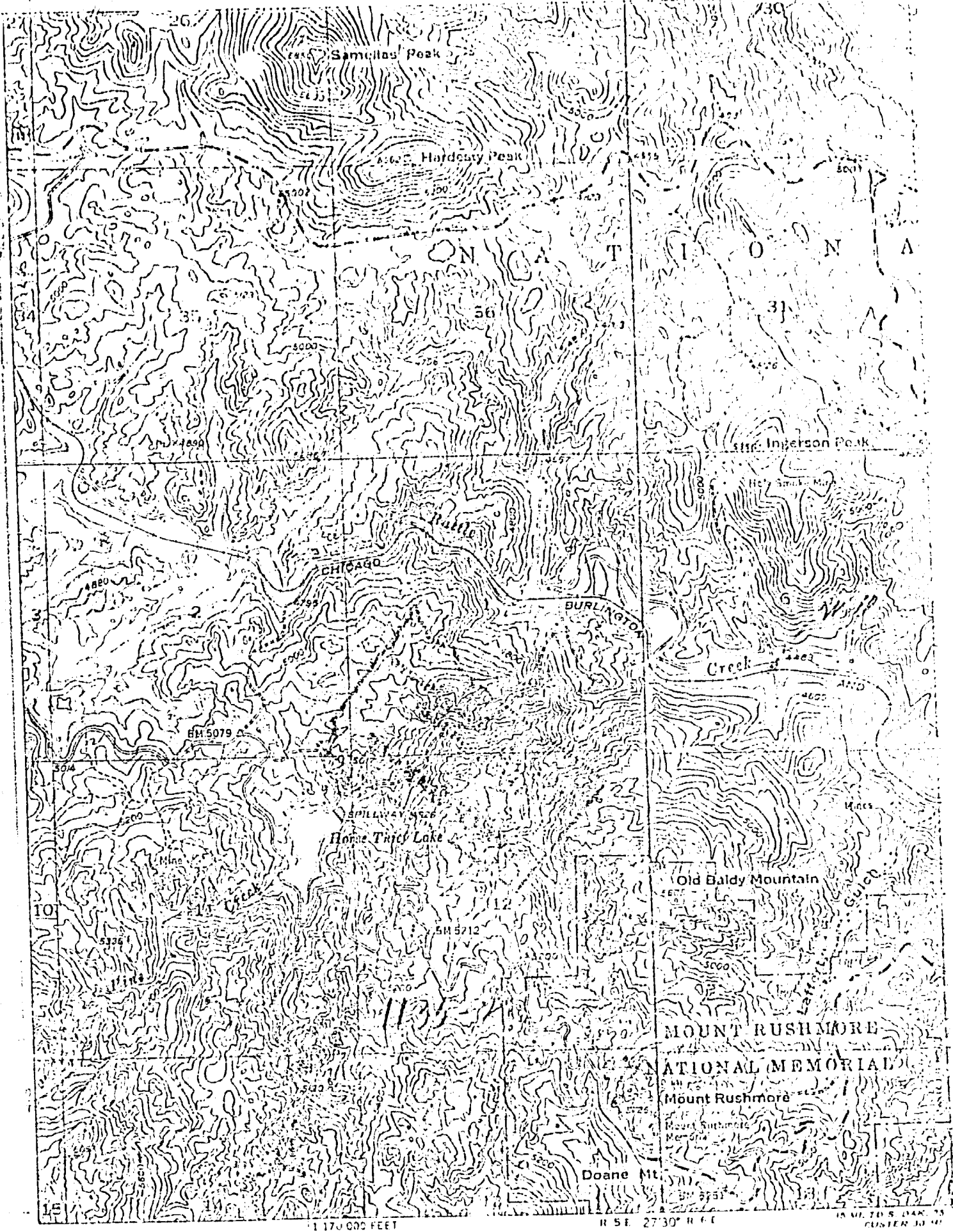
RECEIVED OF F. John Kinyon, 716 Myrtle, Rapid City, SD 57701

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

Fee for Application for Permit to appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and Issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing transfer of WR# 1135-2	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By *(John Hatch)*
Chief Engineer, Executive Officer
JOHN HATCH / 61



730'

1:170,000 FEET

N 51° 27' 30" E

15 MI. TO S. DAK. 75
CUSTER 30 MI.