

Water Right Number 1450-2

1. Considered 10-21, 1970
2. Name of Applicant Pear County U.S.A.
3. Post Office Address Rapid City
4. Amount of water claimed 20
5. Source of water supply 1077' deep well (Diana)
6. Water to be used for Domestic
- Acres to be irrigated _____
7. Water to be diverted and used in Pennington County
about 65 Miles of Rapid City
8. Proof of Publication Received 157/ 4-1-77
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

Map No. 1230-2 Water Division No. 2 RAPID CREEK District 14-50-2
(Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable)

- Name of Applicant BEAR COUNTRY USA, INC.
Postoffice address KEYSTONE ROUTE BOX 208, State RAPID CITY, SD 57701
If a corporation show date and place of incorporation S.D. MAY, 1972
- Method of accomplishing work (contract, employment of others, or by direct labor)
- Name of diversion work BEAR NUMBER 1
- Amount of water claimed (cubic feet per second) 130 GPM = 0.209 CFS
- Source of water supply WELL
- Location of point of diversion N 46°50' W 572.8' FROM THE WEST 1/4 CORNER OF SECTION 9, T1S, R7E, BHM
County PENNINGTON
- Annual period or periods during which water is to be used PERPETUALLY
- Use to be made of water. (Irrigation, industrial, municipal, commercial, recreation, etc.) DOMESTIC WATER & WILDLIFE WATERING
- For irrigation use, Total number of acres to be irrigated

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

- Time required to complete construction of water supply system ONE years. Additional time required to complete application of water to the proposed beneficial use NONE years.
- Choice of newspaper for Notice of intent to Appropriate Water publication RAPID CITY JOURNAL
- Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

WELL WITH SUBMERSIBLE PUMP AND MOTOR.

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

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ 79,800

Attachments: 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 Pennington)
Bear Country, USA

I, Dennis P. Casey, Pres., 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 Dennis P. Casey, Pres.

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1450-2
BEAR COUNTRY USA, INC. KEYSTONE RT, BOX 208, RAPID CITY
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57701 With the following modifications:
 (State)

The ~~irrigation~~ well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The ~~irrigation~~ well owner, under this Permit, shall control his ~~irrigation~~ withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application SEPTEMBER 24 19 76
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved OCTOBER 21 19 76 Recorded in Book 18 Page 37

WATER RIGHT PERMIT NO. 1450-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1450-2 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 SEPTEMBER 24 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before APRIL 21 19 77
3. The whole of said work is to be completed on or before OCTOBER 21 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is OCTOBER 21 19 77
5. The water appropriated shall be used for the purpose of DOMESTIC & WILDLIFE WATERING
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 .20 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 ~~irrigation~~ used for domestic & wildlife watering and if for the irrigation purpose, said appropriation must be limited to not more than ~~three~~ one-seventieth (1/70) of one acre-foot of water per acre per year and ~~not to be used for irrigation on or before~~ actually and beneficially applied for irrigation on or before OCTOBER 21 19 77 said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 20TH day of APRIL 19 77

WATER RIGHTS COMMISSION

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued January 22 19 81

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 7 7/8" AND 5 5/8" Depth 1105' TOTAL 1,077' OF 7 7/8"
300' OF 7" O.D. 28' OF 5 5/8"
 (2) Casing, Type STEEL Diameter 7 7/8" OF 6 5/8" O.D. Thickness 6 5/8" O.D. = 0.280"
 (wood, concrete, steel, etc)
 (3) Perforated Screen.

Type N/A, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____ Length of gravel pack _____

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 WELL DRILLER INDICATES WATER OBTAINED FROM
THE DEADWOOD FORMATIONDepth to top of water bearing material 1077'Depth to bottom of water bearing material BOTTOM OF WELL HOLE @ 1105'Thickness of water bearing material N/ADepth to water (ground surface to water level) 420'

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

On same owner's property UNKNOWN rds. On property owned by others UNKNOWN rds.

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.

Signature of Applicant

Bea County, USA

Permit No. 1450-2

Water Diversion No. 2 Rapid Creek Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Boar Country USA, Inc.

_____ the holder _____ of
Permit No. 1450-2, issued upon Application No. 1450-2, bearing date of priority of September 24,
1976 _____ authorizing the diversion of .20 cu. ft. per second of the waters of _____
groundwater (one well) County of Pennington, State of South Dakota at a
point north 46° 50' west, 572.8' to west 1/4 Corner, Sec. 9-T1S-R7E

_____ for Domestic & Wildlife watering

_____ has VE 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 .29 cu. ft. per second of water.

Date January 22, 1981

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

WATER LICENSE NO. 1450-2

(1) WHEREAS, On the 24th day of September A. D. 76

Bear Country USA, Inc.

made Water Right Application No. 1450-2 for a permit to use .20 cubic feet per second of the waters of groundwater (one well)

County of Pennington, State of South Dakota, for domestic & wildlife watering

purposes; and

(2) WHEREAS, On the 21st day of October A. D. 76

Permit No. 1450-2, with a date of priority of September 21, 1977

was issued to said applicant S for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 21st day of October A. D. 77 and for the application to beneficial use of said water on or before the 21st day of October A. D. 77

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the 20s of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert _____ 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 in place for domestic and wildlife watering.

(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 Bear Country USA, Inc.

of Rapid City, SD
the holder S and owner S of said permit No. 1450-2 a water right, dating from September 24, 1976
to use of .20 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 hereinbelow mentioned, to be diverted at a point north 46° 50' west, 572.8' to west
1/4 Corner, Section 9-T1S-R7E

and conducted ~~to and upon~~ thru Bear Country USA, Inc distribution system

for the purpose of domestic and wildlife watering use

Subject to any limitations listed in Water Right Permit No. 1450-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 22nd day of January A. D.
Nineteen Hundred and eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Form 6 - Notice of Intent to Appropriate Water

o. 1450-2

Publish first publication, on or before October 12, 19 76

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 1, 19 76

Notice is hereby given that Bear Country USA, Inc.
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 appropriate for beneficial use
.20 cubic feet of water per second of time from the ground water (artesian) through the
Bear # 1, the point of diversion of which is to be located in the

NE 1/4 SW 1/4

of Section 9, Twp. 1S, Range 7E. Said water to be used for the purpose
of providing irrigation ~~on the following described land:~~ ^{portions of}

domestic supplies and water for wildlife

This application No. 1450-2 will be considered by the Water Rights Commission at their office at
Pierre upon the 21st day of October, 19 76, at 1:00 P.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Bear Country USA, Inc., Keystone Rt., Box 208, Rapid City,
S. D. 57701

Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington

ss.

I, Jerry J. Shoener, being first duly sworn, upon his oath says: that he is now and was at all times hereinafter mentioned, an employee of the RAPID CITY JOURNAL COMPANY, a corporation, of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said RAPID CITY JOURNAL, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said newspaper once each week for two successive weeks, the first publication thereof being on the 12th day of October, 19 76, that the fees charged for the publication thereof are Sixteen Dollars and Sixty-Six cents.

Jerry J. Shoener

Subscribed and sworn to before me this 1st day of

April, 19 77

Notary Public.

Oct. 12, 1976 L216
NOTICE
INTENT TO APPROPRIATE WATER
 Pierre, South Dakota 57501
 October 4, 1976
 Notice is hereby given that Bear County U.S.I. Inc., 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 appropriate for beneficial use .20 cubic feet of water per second of time from ground water (artesian) through the Bear No. 1; the point of diversion of which is to be located in the NW1/4SW1/4 of Section 9, Twp. 13, Range 75. Said water to be used for the purpose of providing irrigation on portions of the following described land: domestic supplies and water for wildlife.
 This application No. 1450-2 will be considered by the Water Rights Commission at their office at Pierre upon the 21st day of October, 1976, at 1:00 P.M. All interested persons may appear and be heard.
WATER RIGHTS COMMISSION
BURTON F. JONES
 Water Rights Specialist



RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7866

December 31, 1980

PIERRE,

RECEIVED OF Dennis R. Casey, Bear Country USA, Rt. 2, Box 623, 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. 1450-2	50.00	
Fee for Inspecting Beneficial Use, and issuing Water License No. 1450-2		
Fee for issuing Location Certificate-Dry Draw. No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50.00	

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / *CH*

DATE MICROFILMED

Permit No. 1450-2Water 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 / POSE BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Bear Country USA, Inc of Keystone Rt Box 208 Rapid City, S.D. 57701 holder. 57701
 of Permit No. 1450-2, bearing date of priority of September 24, 1987
 authorizing the diversion of .20 cu. ft. per second of the waters of Well
 for Domestic and Wildlife Watering 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:

30 H.P. Submersible Pump.
Pumping 130 gpm

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

P.V.C. Mains to Various Location on The Property

C. Works used to apply water to beneficial use.

Houses, Concession Stands - Offices and wildlife
watering Facilities

The system is in the following condition: Good

The point of diversion is located N 46° 50' W 572-8' to West 1/2 corner
of Section 9, T15 R7E

The works are capable of diverting and conveying to the place of use .29cu. ft. per second of water which is to be used for Domestic + Wildlife Watering.

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

comprising a total of _____ acres of land.

Well depth 1105 ft
 Pump at 800 ft
 pumping 130 gpm

License for .2 acfsDate June 10, 1980



1450-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

OCT 17 1996

1450-2

Brendan Casey
Bear Country USA
13820 S Hwy 16
Rapid City SD 57701

Dear Mr. Casey:

Enclosed is your Reissued Water License No. 1450-2.

A review of your water right found an error in the location of the diversion point. The original water license described the well as being ~~S4~~ ^{N4} 572.8 feet from the W¼ corner of Section 9. The well should have been described as being 572.8 feet from the W¼ corner. The water license has been reissued to correct the error.

As long as you beneficially use the water as described in the license, South Dakota Water Laws provide that you have a continuing right to the use of the water. If you have any questions concerning the reissued license, please contact us.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352

enclosure

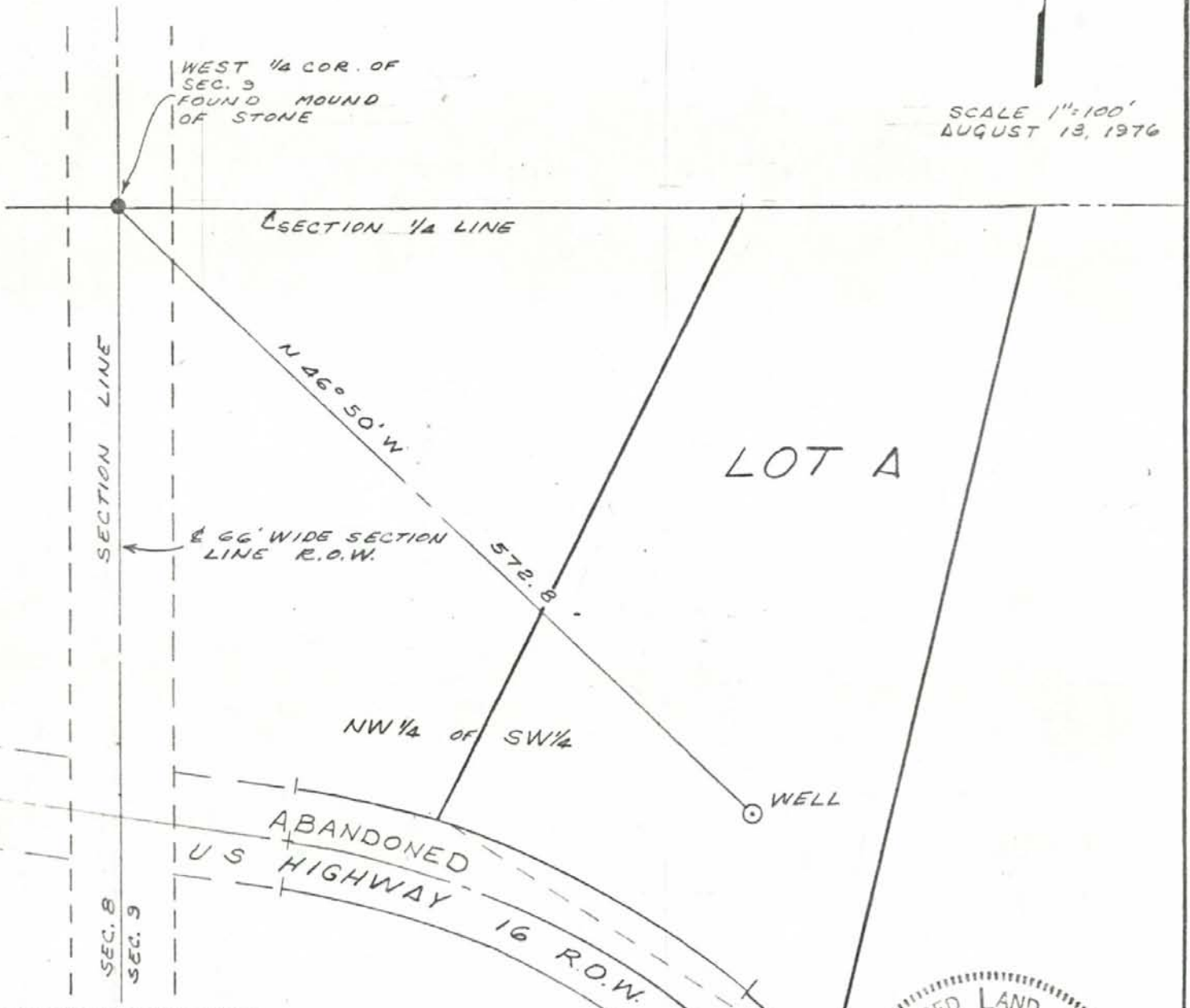
gm

WATER RIGHT MAP FOR

WELL LOCATED IN LOT A OF NW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 9, T1S, R7E, BHM,
PENNINGTON COUNTY, SOUTH DAKOTA



SCALE 1"=100'
AUGUST 13, 1976



SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA
COUNTY OF PENNINGTON

S.S.

I, JAMES P. HEALD, REGISTERED LAND SURVEYOR No. 2199
OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT BEING
SO AUTHORIZED, I MADE THE SURVEY AND WITHIN MAP OF THE LAND
SHOWN AND DESCRIBED HEREON AND THAT THE SAME IS CORRECT AS
SHOWN HEREON.

REGISTERED LAND SURVEYOR:

JAMES P. HEALD



FRANCIS-MEADOR-GELLHAUS, INC.
RAPID CITY • CUSTER

PROJECT: DR. CASEY / BEAR COUNTRY USA

SW 9 - 1S - 7E

BY C.E.S.
8-13-76

SHEET
1 OF 1

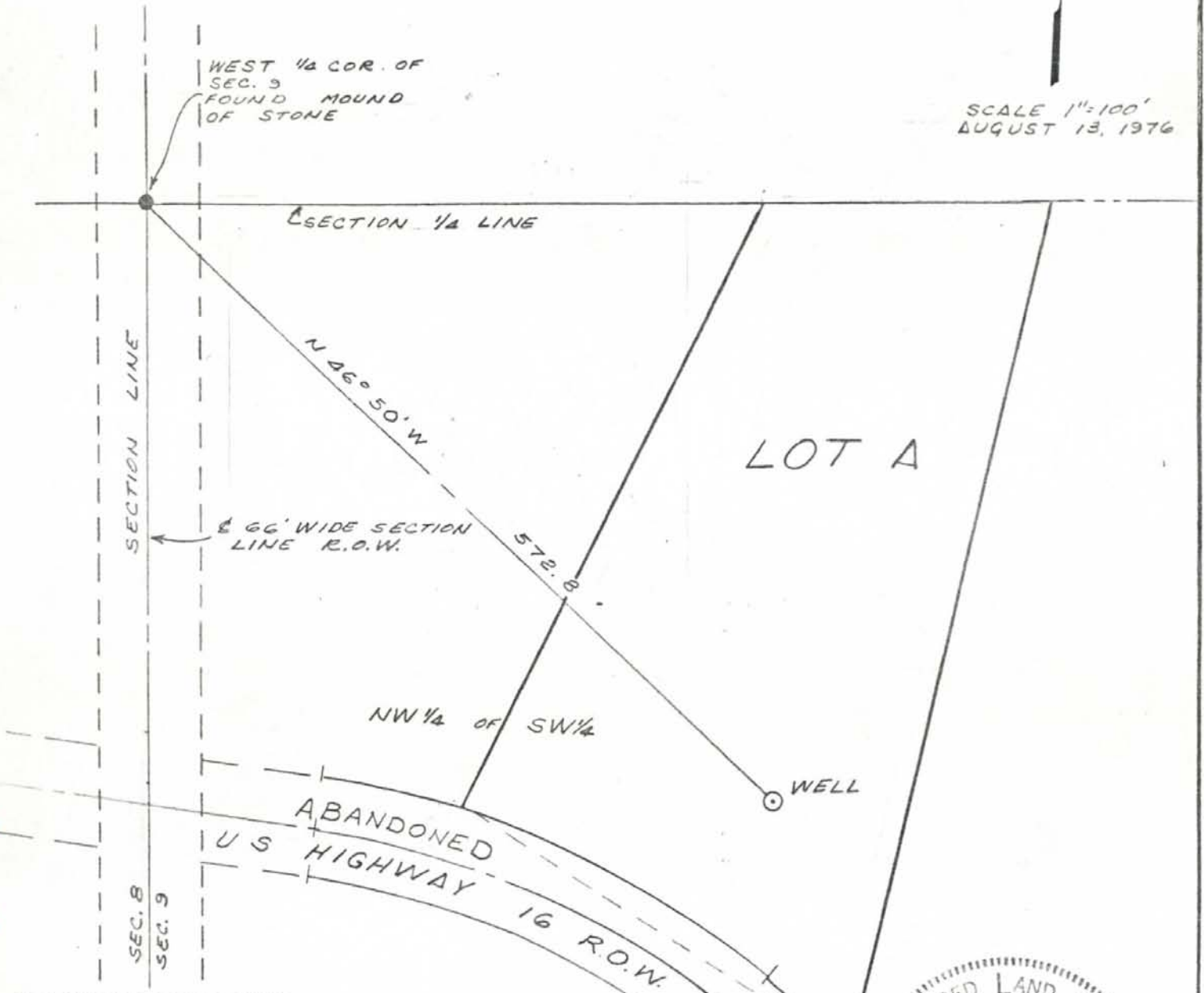
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3373

WATER RIGHT MAP FOR

WELL LOCATED IN LOT A OF NW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 9, T1S, R7E, BHM,
PENNINGTON COUNTY, SOUTH DAKOTA



SCALE 1"=100'
AUGUST 13, 1976



SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

S.S.

I, JAMES P. HEALD, Registered Land Surveyor No. 2199
OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT BEING
SO AUTHORIZED, I MADE THE SURVEY AND WITHIN MAP OF THE LAND
SHOWN AND DESCRIBED HEREON AND THAT THE SAME IS CORRECT AS
SHOWN HEREON.

REGISTERED LAND SURVEYOR:

James P. Heald
JAMES P. HEALD



FRANCIS-MEADOR-GELLHAUS, INC.

RAPID CITY • CUSTER

PROJECT: DR. CASEY / BEAR COUNTRY USA

SW 9 - 1S - 7E

BY *C.E.S.*
8-12-76

SHEET
1 OF 1

JOB NO
3373

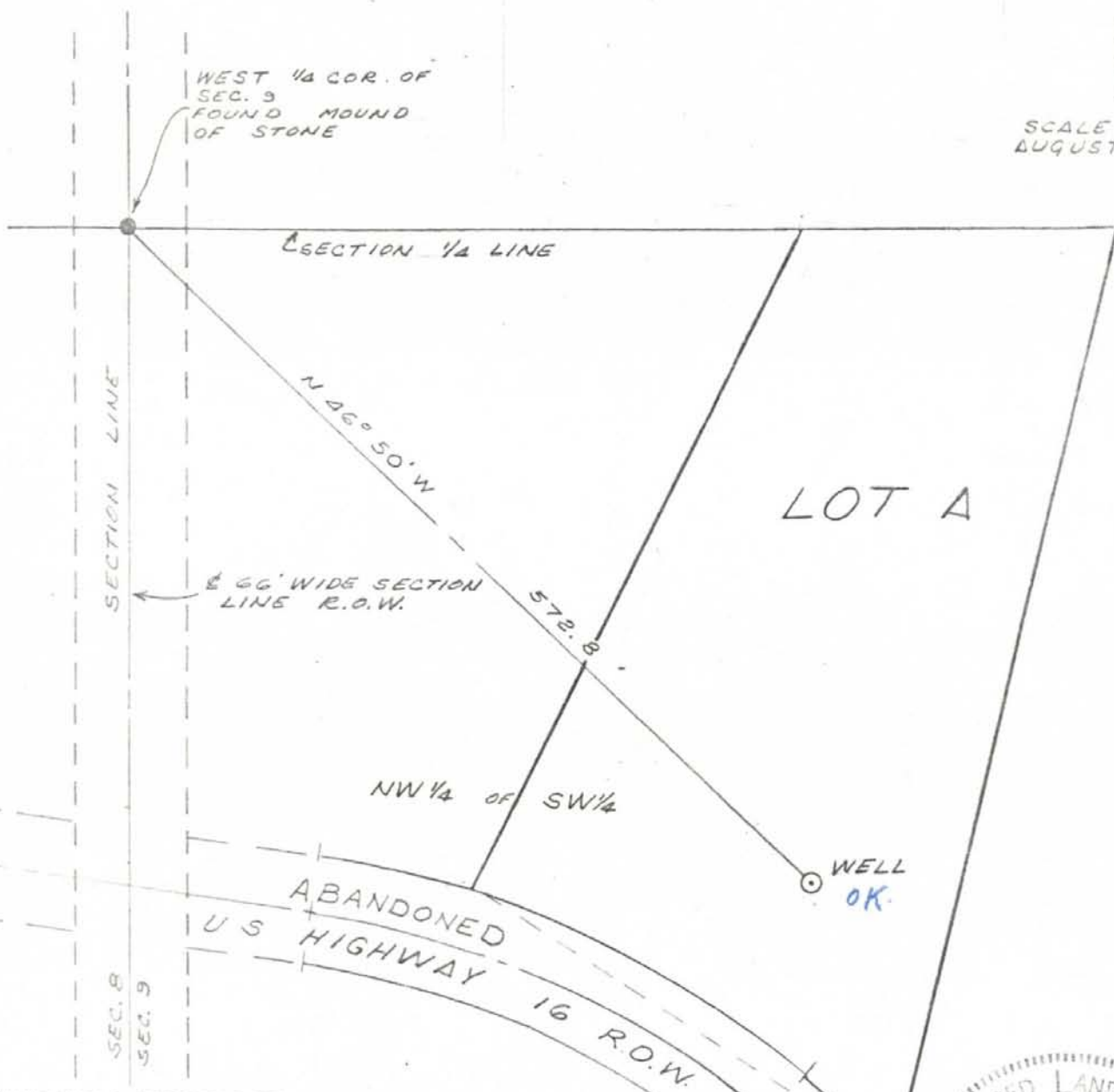
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WATER RIGHT MAP FOR

WELL LOCATED IN LOT A OF NW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 9, T1S, R7E, BHM,
PENNINGTON COUNTY, SOUTH DAKOTA



SCALE 1"=100'
AUGUST 13, 1976



SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA
COUNTY OF PENNINGTON

S.S.

I, JAMES P. HEALD, Registered Land Surveyor No. 2199
OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT BEING
SO AUTHORIZED, I MADE THE SURVEY AND WITHIN MAP OF THE LAND
SHOWN AND DESCRIBED HEREON AND THAT THE SAME IS CORRECT AS
SHOWN HEREON.

REGISTERED LAND SURVEYOR:

James P. Heald
JAMES P. HEALD



FRANCIS-MEADOR-GELLHAUS, INC.

RAPID CITY • CUSTER

PROJECT: DR. CASEY / BEAR COUNTRY USA

SW 9 - 15 - 75

BY J.P.H.
8-13-76

SHEET
1 OF 1

JOB NO
3373

DN

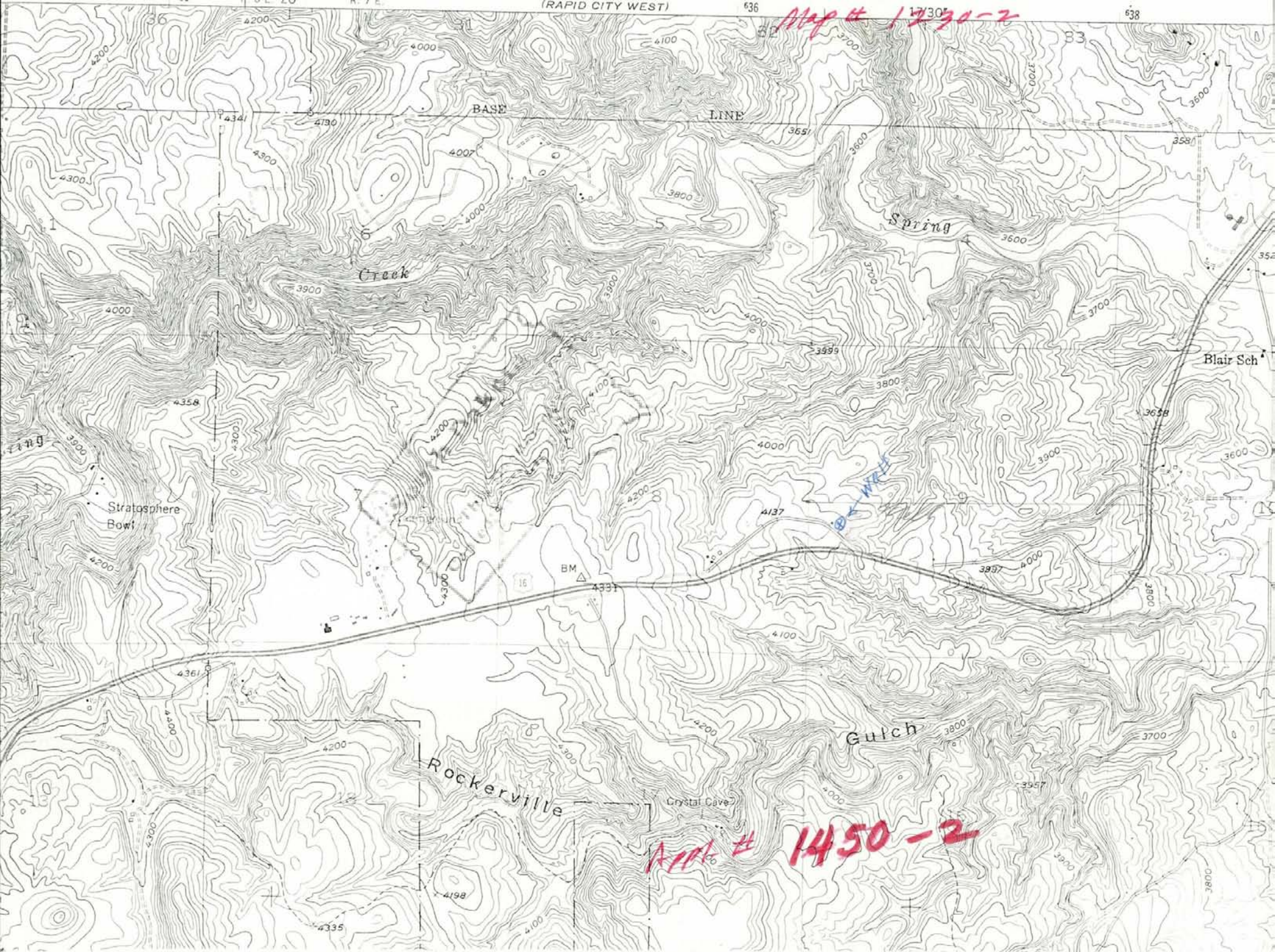
Map # 1230-2
APR 10 1976
APR 10 1976

(RAPID CITY WEST)

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Map # 1730-2

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Map # 1450-2