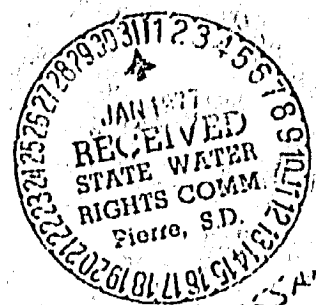


Water Right Number 1574.2

1. Considered 5-25, 19 77
2. Name of Applicant BADLANDS ENTERPRISES, INC
3. Post Office Address INTERIOR
4. Amount of Water claimed .11
5. Source of Water supply 40' DEEP WELL
6. Water to be used for _____
~~Acres to be irrigated~~ COMMERCIAL - CAMPGROUND
7. Water to be diverted and used in WASHABAUGH County
about 35 miles of INTERIOR
8. Proof of Publication Received 4-26-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

Form 2 - Application for Permit to Appropriate Water (Original (Includes Approval and Permit))

No. 1374-2Map No. 962.2 Water Division No. 2 WHITE RIVER District _____
(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)

1. Name of Applicant Badlands Enterprises, Inc.
 Postoffice address Interior State South Dakota 57750
 If a corporation show date and place of incorporation May 20, 1972
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
 3. Name of diversion work Well
 4. Amount of water claimed: (cubic feet per second) .11
 5. Source of water supply ground water
 6. Location of point of diversion A point 291 rods North and 199 rods East of the SW Corner, Section 23, T43N, R29W
LETA County Washabaugh
 7. Annual period or periods during which water is to be used Year around with heavy use in summer
 8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) Commercial
 9. 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

10. Time required to complete construction of water supply system 4 months years. Additional time required to complete application of water to the proposed beneficial use none years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Kadoka Press
 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. A well with a 30" inside diameter will be drilled to a depth of 40 feet. A 1 h.p. submersible pump will be used to lift the water from the well into the campground water system.

B. Works proposed to transport water to place of use. 100 feet of 2 inch plastic pipe.

C. Works proposed to apply water to beneficial use. 75 water faucets and six shower heads, five toilet stools, and two urinals.

Estimated Total Cost \$ 2,000.00

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 Washabaugh)I, Richard B. Kirchoff

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 provide the necessary construction.

Signed BY: Richard B. KirchoffSubscribed and sworn to before me this 27 day of June 1972

Notary Public (or other qualified officer)

EV 4-21-23

WATER RIGHT APPLICATION APPROVAL.

The Water Rights Commission hereby approves Water Right Application No. 15744

BADLANDS ENTERPRISES, INC.
(Applicant)

INTERIOR //
(Post Office Address)

SOUTH DAKOTA 57750
(State)

With the following modifications:

Date of first receipt of application JANUARY 31, 19 77
 Date of return to applicant for correction, amendments or changes required —, 19 —
 Date of receipt of corrected application —, 19 —
 Approved MAY 25, 19 77 Recorded in Book 18 Page 156

WATER RIGHT PERMIT NO. 1374.2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1574-2 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 31 1977
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 25 1977
3. The whole of said work is to be completed on or before SEPTEMBER 25 1977
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith SEPTEMBER 25 1977
5. The water appropriated shall be used for the purpose of COMMERCIAL USE

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.

The amount of the appropriation herein granted shall not exceed 1000 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 low social uses and, and if for the irrigation purpose the appropriation must be limited to the amount of water needed for the above purposes and be limited to not more than one-tenth (1/10) of an acre foot of water per acre of land to which water is

USED FOR COMMERCIAL PURPOSES
actually and beneficially applied for irrigation on or before SEP 25 1977; said water to be used during the following described annual period: CONTINUOUS

Witness my hand this 22nd day of JUNE, 1977

WATER RIGHTS COMMISSION

By:

John R. Kalcik
Chief Engineer, Executive Officer

Certificate of Construction Issued DECEMBER 27, 1978

Water License Issued: DECEMBER 27 1978

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 48 inches, Depth 40 feet
- (2) Casing, Type Concrete Diameter 36 inches Thickness 2 inches
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Concrete, Diameter 3 feet, Length 25 feet
- (4) Gravel Pack, Thickness 6 inches, Length of gravel pack 25 feet

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 The water bearing material is gravel which lays under about 15 feet of silt and above a base of blue Badlands Bluff clay or shale.

Depth to top of water bearing material 15 feet

Depth to bottom of water bearing material 25 feet

Thickness of water bearing material 10 feet

Depth to water (ground surface to water level) 15 feet

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

On same owner's property 20 rds. On property owned by others 37 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.

Badlands Enterprises, Inc.

By Richard B. Kneesh Sec-Treas
Signature of Applicant

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1574-2

(1) WHEREAS, On the 31st day of January A. D. 19 77
Badlands Enterprises, Inc.

Code Water Right Application No. 1574-2 for a permit to use .11 cubic feet per second of the waters
 of groundwater (one well)

County of Washabaugh, State of South Dakota, for 1 commercial

purposes; and

(2) WHEREAS, On the 25th day of May A. D. 19 77

Permit No. 1574-2, with a date of priority of January 31, 1977

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 25th day of September A. D. 19 77 and for the

application to beneficial use of said water on or before the 25th day of September A. D. 19 77

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 .04 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 in the operation of a trailer park.

(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 Badlands Enterprises, Inc.

_____ of Interior SD
the holder s and owner s of said permit No. 1574-2 a water right, dating from January 31, 1977
to use of .04 cubic feet per second of the waters
of groundwater (one well)

in the County of Waspabaugh and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 291 rods north and 199 rods east of the SW corner, Section 23-T43N-R39W

and ~~conducted~~ conducted through the distribution system of the trail park

for the purpose of commercial use

Subject to any limitations listed in Right Permit No. 1574-2 and subject to the laws of the State of South Dakota.

WITNES: My hand and seal of our office at Pierre, South Dakota
this 27th day of December A. D.
Nineteen Hundred and Seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer, JOHN HATCH

Form 15.

Permit No. 1574-2

Water Diversion No. 2 White River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Badlands Enterprises Inc.

the holder of
Permit No. 1574-2, issued upon Application No. 1574-2, bearing date of priority of January 31, 1977
authorizing the diversion of .11 cu. ft. per second of the waters of
groundwater (one well) County of Washabaugh, State of South Dakota at
a point 291 rods north and 199 rods east of the SW corner, Section 23-T43N-R39W

for commercial

purposes, 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 .04 cu. ft. per second of water.

Date December 27, 1978

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Jackson) ss.

I, L. G. Parkinson hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Kadoka Press

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

Thursday, April 14, 1977

Thursday, April 21, 1977

L. G. Parkinson
(Signature)

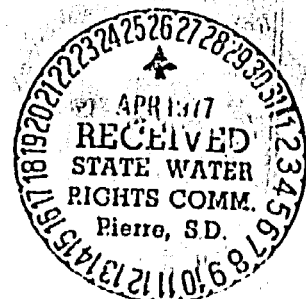
Publisher
(Title)

April 21, 1977
(Date Signed)

NOTICE OF
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
April 5, 1977
Notice is hereby given that
Badlands Enterprises, Inc.,
whose post office address is
Interior, 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
0.11 cubic feet of water per
second of time from ground water
through the Badlands Enterprises
Inc. #17 the point of diversion of
which is to be located in the
NW 1/4 NE 1/4 (Lot A) of Section 23,
Twp. 43N, Range 49W. Said
water to be used for Commercial
(Campground) purposes.
This application No. 1574-2 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 25th day of
May, 1977, at 10:00 a.m. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION
By: James Winterton
Water Rights Specialist
Pub. April 14-21



Form 6 - Notice of Intent to Appropriate Water

No. _____

Publish first publication, on or before _____, 19____

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

_____, 19____

Notice is hereby given that _____, Inc.,
whose post office address is _____, 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
_____ cubic feet of water per second of time from the _____ through the

_____ the point of diversion of which is to be located in the _____

_____ of Section _____, Twp. _____, Range 39W. Said water to be used for the purpose
of providing irrigation on the following described land:

This application No. _____ will be considered by the Water Rights Commission at their office at
Pierre upon the _____ day of _____, 19____, at _____ M. All interested
persons may appear and be heard

WATER RIGHTS COMMISSION

By

BURTON F. JONES

Water Rights Specialist

BFJ/bw

cc:

_____, Inc., _____, _____, _____

Form 10.

No. 1574-2



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Tutor, S. D.

Date 7-16-77

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1574-2

Water Right Permit No. 1574-2 states that the diversion system is to be constructed by 9-25, 1977 and that the water is to be put to beneficial use by 9-25, 1977.

The diversion system was completed on 6-15, 1977.
Applying the water to beneficial use was completed on 6-15, 1977.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Badlands Enterprise, Inc.
by Richard B. Kirsch, Treas.
(Signature)

1574-2 Badlands Cattle Co. Inc. by L. M. M. Inc.

4-3-78 Richard Harris,

East Well - dug Dec. 1976 - 1" diameter - 10' deep

Depth 40 ft - Dia 36"

Submersible - Parker Model

1 H.P. well pump - 17 gpm

Well yield 8 to 9 gpm steady

14" plastic pipe to pump

14 ft to water

11/30/78 West Well dug 1972 or 1973

Depth 40 ft - 14 ft to water

1974 2 Submersible pumps as above

Each well pump 18 gpm

Well will yield 18 gpm steady

and pump will be used as above

Permit No. 1574-2Water Division 2 White River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

This day made this report after examination of the water use system constructed by Badlands Enterprises, Inc.of Interior, South Dakota 57750 holderPermit No. 1574-2 having data of priority of January 31, 1977at a rate of 1.1 cu. ft. per second of the waters of One Wellfor the purposes, in Washabaugh County.

The report on the condition of the system is as follows:

The Water Use System consists of

A. Works used to divert the water

From Sand Springs to Fairbanks-Morse, 1 HP
Pumping 1/2 mile (maximum)

B. Works used to transport water to place of use

To Irrigate fields, To Residents and bath houses
in the area

C. Works used to apply water

Parking area for Tractors and Registered VehiclesThe system is in the following condition: GoodThe point of diversion is located 4.25 miles north and 1.9 rods east of the
SW corner Section 33, T.12N. R.37EThe works are capable of diverting and conveying to the place of use .04cu. ft. per second of water which is to be used for commercial

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

 comprising a total of acres of land.

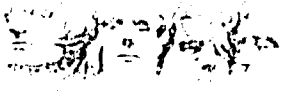
Well data:

Depth - 40 ft.Diameter - 36"Static - 14 ft.Pumping - 12 gpm (max)

Date

December 1, 1977Henry J. Whelan
(Signature)

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 4, 1991

No. 1754-2
1132-2

BADLANDS KOA
HC 54 BOX 1
INTERIOR SD 57750

Dear Sirs:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right No. 1574-2 and Water Right No. 1132-2.

Our records now show you as the owner of Water Right No. 1574-2 and Water Right No. 1132-2.

Sincerely,

Cheryl F. Frost

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, South Dakota, 1992

RECEIVED OF Edmond Leitch, Division of Interior SD 5773

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Permit No. 157242</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By [Signature]
Chief Engineer

No. _____

Date: January 11, 1991

Title to the following described land(s)/property has beer transferred as described above:
A point 291 rods North and 199 rods East of the SW corner, Section 23-T43N-R39W

County of Los Angeles)

(Signed)

(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.