

cc: Nelson

Considered: _____

WATER PERMIT NO. 1880-2

MAP No. 1880-2

Name of Applicant David Norman

Post Office Address Box 779, Rapid City 57709

Amount of Water Claimed .18 Total Acres _____

Source of Water Supply one 1545 foot well

Water to be used for COM County PE

About _____ miles south of Rapid City

PROOF OF PUBLICATION: Received 8-23-84 Not Received _____

APPLICATION: Approved 9-26-84 Subject to _____

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

PRIORITY _____ Date Received 4/19/84 Fee 150.00 Remarks _____

596000 4/19/84

Corrected Application Received 5-14-84 Period of Annual Use 05/01 - 10/31

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

WI-1 Description same as Application YES _____ NO _____ REMARKS not applicable

Diversion Point _____

NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26-T1N-R7E

Land to be Irrigated _____

Well Log: Driller Taylor Drilling Licensed YES X NO _____

Depth of Well 1545-Minnelusa REMARKS _____

Type of Map drawn PREPARED BY Ronald D Davis PE Reviewed and the Number

assigned on 6/21/84 By Betty Westlund

Map No. 1880-2 Water Division No. 2 UC District

Above for Office Use 10120110



To Appropriate Water within the State of South Dakota

Check one of the following:

New X Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant David Norman Phone No. 348-8962
Post Office Address Box ~~777~~ 779 Rapid City State S.D. 57709 BW
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) contract

3. Name of diversion work _____

4. Amount of water claimed (cubic feet per second) (85 GPM) .18 cu. ft./sec. 69.6 gpm

5. Source of water supply Ground Water

6. Location of point of diversion NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ SEC. 26, R. 7 E., T. 1 N.

County Pennington

7. Annual period or periods during which water is to be used May-October

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 ~~1/2~~ 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water _____

12. Principal Features of the Proposed Water Supply System.

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

Water well

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

Under Water lives
ground

C. Works proposed to apply water to beneficial use.

Water lines will take water to concrete surge tank for storage. Pressure pumps will give pressure for human & sprinkling use.

Estimated Total Cost \$ 30,000

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 Pennsylvania) ss.

I, David Norman 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 David Hanna

Subscribed and sworn to before me this 17 day of April 1984

Notary Public (or other qualified officer)

WNR-802-7479

My Commission Expires July 9, 1989

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1880-2

David Norman
(Applicant)
South Dakota
(State)

Box 779 Rapid City
(Post Office Address)

With the following qualifications.

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

Date of first receipt of application April 19, 1984
Date of return to applicant for correction, amendments or changes required April 23, 1984
Date of receipt of corrected application May 14, 1984
Approved September 26, 1984, Recorded in Book — Page —

WATER RIGHT PERMIT NO. 1880-2

The Water Management Board hereby grants and issues this Water Right Permit No. 1880-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is April 19, 1984.
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before March 26, 1987.
3. The whole of said work is to be completed on or before September 26, 1989.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is September 26, 1993.
5. The water appropriated shall be used for the purpose of Commercial.

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 0.18 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 uses served, and ~~if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied~~

for irrigation on or before September 26, 1984; said water to be used during the following described annual period: May 1 to October 31

Witness my hand this 23rd day of October, 1984

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued _____ 19____

Water License Issued _____, 19____

D Well Information

- (1) Drill Hole, Diameter 7 7/8"; 6 1/2", Depth 925'; 1545'
- (2) Casing, Type Steel, Diameter 7" O.D. & 5 1/2" O.D., Thickness .312"; .250"
(wood, concrete, steel, etc.)
- (3) Screen, Type _____, 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. (Attach a copy of test well log)

Depth to top of water bearing material 1400'

Depth to bottom of water bearing material 1545'

Depth to water (ground surface to water level) 340'

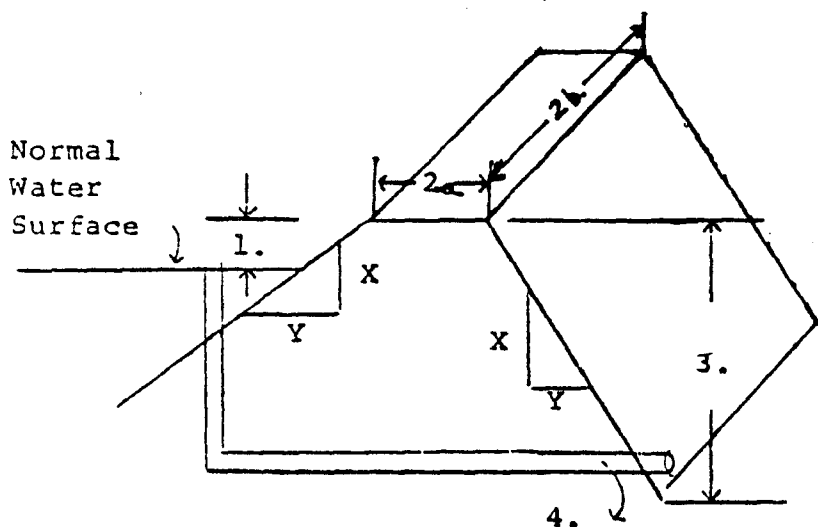
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property _____ rds.

On property owned by others approx. 1/2 Mile 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
- Pipe diameter _____
- Spillway width _____
- X & Y slope:
- Upstream _____
- Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

Water Rights Division
605 773-3352

May 14, 1984

David Norman
Box 2478
Rapid City SD 57709

Dear Mr. Norman:

Your fee and map have been received for your commercial application. We still need an explanation covering the exact use of the water requested, since the application is not clear.

Also if the map is a drawing of the whole Section, the well location is in the NE 1/4 SW 1/4, Section 26, T1N, R7E. Poorly drawn and vague maps are hard to interpret and do a disservice to the applicant applying for the permit. On the application it states the well location as the NE 1/4 NW 1/4 SW 1/4, Section 26, T1N, R7E.

We are enclosing a copy of your application and your map for any corrections. If you have any questions feel free to contact our office.

Sincerely,

BETTY WESTLUND
Natural Resources Analyst

BW:ks

encl.

Your receipt # 4-9660 in the amount of \$150.00 is on file in our office.

STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

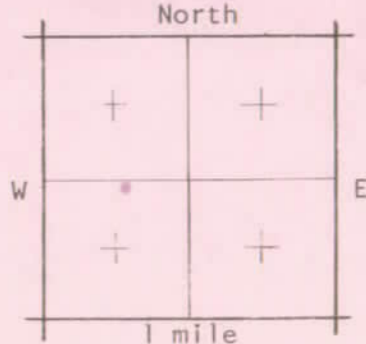
Location NE 1/4 SW 1/4 Sec 26 Twp 1N Rg 7E

County

North

Pennington

Please mark well location with an "X"

Well Completion Date 4-6-84

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☒ Industrial ☐ Stock
Method of Drilling: air rotary

WELL CONSTRUCTION:

Diameter of hole 7 1/2 inches Depth 1430 feetCasing: ☒ Steel ☐ Plastic ☐ Other

Specify _____

 Pipe Weight 22 lb/ft 7 inches 0 feet 925 feet
15 lb/ft 5 1/2 inches 900 feet 1430 feet
Was a well screen used? ☐ Yes ☒ NoIf Not Specify open hole completion

Screen Type _____ Slot Size _____

Length _____ Diameter _____

Was Casing left open end? ☒ Yes ☐ NoWas a Packer or seal used? ☐ Yes ☐ No

If so what material? _____

Was well gravel packed? ☐ Yes ☒ NoWas well grouted? ☒ Yes ☐ No

Describe grouting procedure _____

To what depth? 1430 FeetWhat was grouting material? CementIf cement, how many sacks? 60Location of packer(s) and screen or perforated pipe Top of hole + 2' casingWAS WELL PLUGGED OR ABANDONED / ☐ Yes ☒ No

If so how and with what material? _____

Well Owner: David & Jack NormanName Wild Rapids Water SlidesAddress Box 3723
Butte, Montana 59703

Well Log: _____ Depth

Formation	From	To
<u>Topsoil</u>	<u>0</u>	<u>4</u>
<u>Red clay</u>	<u>4</u>	<u>27</u>
<u>Gravel</u>	<u>27</u>	<u>70</u>
<u>Dakota - Lakota</u>	<u>70</u>	<u>350</u>
<u>Morrison - Mankato</u>	<u>350</u>	<u>580</u>
<u>Sundance</u>	<u>580</u>	<u>900</u>
<u>Spearfish</u>	<u>900</u>	<u>1250</u>
<u>Mankato</u>	<u>1250</u>	<u>1290</u>
<u>O Pache</u>	<u>1290</u>	<u>1420</u>
<u>Minnelusa</u>	<u>1420</u>	<u>1545</u>

STATIC WATER LEVEL 320 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? _____

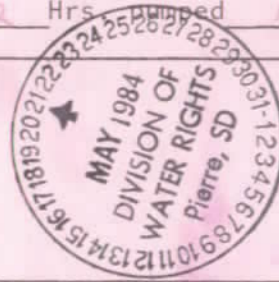
WELL TEST DATA:

☐ Pumped _____☐ Bailed Describe: air developed☒ Other _____

Pumping Level Below Land Surface

600 ft. After 2 Hrs. pumped 50 GPM700 ft. After 2 Hrs. pumped 90 GPM800 ft. After 2 Hrs. pumped 125 GPM

Remarks:

This well was drilled under license # 431

and this report is true and accurate.

Drilling Firm Taylor Drilling Signed by Ralph Taylor5-12-84

Date

RECEIPT

Division of Water Rights

Nº 4 9660

South Dakota Department of Water and Natural Resources

Pierre, May 14, 1984

RECEIVED OF David Norman, Box 2479, Rapid City, SD 57709

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

Fee for Application for Permit No. <u>1880-2</u> to Appropriate Water, to construct works and to put water to beneficial use	150	00
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		
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	150 00

By John Hatch
Chief Engineer JOHN HATCH ms

Conversation or File Documentation

NAME OF PERSON OR FILE: David NormanADDRESS: Box 779 - RCCOUNTY PEDATE: 6/4/84TELEPHONE 348-8962RE: Appl.

COMMENTS:

called about what exactly was needed & corrected
the well location to NE⁺SW⁺ 26^R-7E-T1N. Said he
would send in letter explaining project

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.



TAYLOR DRILLING CO.

2310-12 Commerce Road
RAPID CITY, SOUTH DAKOTA 57701

RALPH L. TAYLOR, SR.
RALPH L. TAYLOR, JR. (Randy)
KIM E. TAYLOR

TELEPHONE:
Office 605—348-3600
After Hours 605—342-7119

Wild Rapids Water Slides (Dave Norman)

0-4	Topsoil
4-27	Red Clay
27-70	Gravel
70-350	Dakota-Lakota
350-580	Morrison -Unkapa
580-900	Sundance
900-1250	Spearfish
1250-1290	Minnekahta
1290-1420	Opeche
1420-1545	Minnelusa

Ralph Taylor Jr.
V. P. Taylor Drilling

June 19, 1984
/ Rapid City, S.D.

Dept. of Water and Natural Resources

Joe Foss Buliding

Pierre, S.D. 57501-381

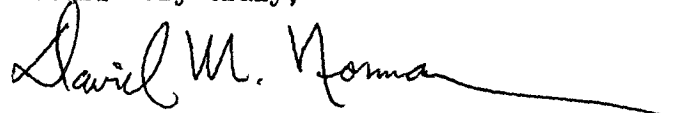
RE: application for Permit to appropriate water

To Whom it may concern:

This letter was requested by the Department to further clarify my intended use of water from this well.

I intend to use this water for all purposes incidental to the operation of a campground and water theme facility. Such uses are to include ; showers for customers, swimming pools and waterslides, sprinkling of lawns, watering of trees, operation of toilet facilities, etc.

Yours very truly,



DAVID M. NORMAN

Box 2478

Rapid City, S.D. 57709



RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 1880-2

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. 1880-2, David Norman (Wild Rapids Water Slides), P.O. Box 779, Rapid City, South Dakota.

The Chief Engineer is recommending APPROVAL of Application No. 1880-2 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 right, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
Water Rights Division

DAVID NORMAN

August 1, 1984

This application proposes to divert .18 cfs (85 GPM) from one 1545 feet deep Minnelusa Formation well located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T1N, R7E. The water is to be used for commercial purposes. (Wild Rapids Water Slides).

Aquifer - Minnelusa FormationGeology and Aquifer Characteristics -

The Minnelusa Formation consists of sandstones, limestone and dolomite approximately ⁴⁸⁸750 feet thick in this area and containing approximately 51.4 million acre feet of recoverable water in Pennington County (Allen, Etal. 1984). The well driller (Taylor) from Rapid City completed the well in May 1984 and a well drillers report is submitted with the application. The well is completed open hole and has a specific capacity of .25 GPM/Foot drawdown. This is quite a bit less than the average of 1.06 GPM/Foot of drawdown for the Minnelusa (Rahn, 1979). The well construction is adequate and meets present well construction standards.

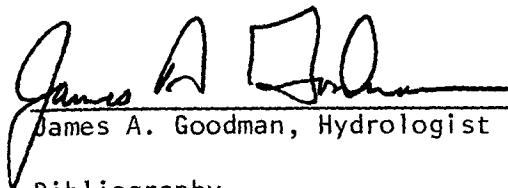
Review of Existing Water Permits

1131-2	Par Trust	SHD	.22 cfs	1800'	Minnelusa
1147-2	C. Knock	Campground	.08 cfs	850'	Minnelusa
1537-2	First Assembly of God	Church	.09 cfs	1840'	Minnelusa

These permits are within 1 $\frac{1}{2}$ miles of the porposed diversion of this application.

Conclusions -

1. There is water available from the Minnelusa. Production of the completed well indicates the capacity is available even though this is a relatively low yield well for the Minnelusa in this area.
2. The Water Rights Division monitors an observation well (PE-64B) into the Minnelusa which is approximately 3-4 miles northwest of this application. Water level records for this well do not indicate present withdrawals are affecting the aquifer.
3. There are many other Minnelusa wells in the Rapid City area which provide water for suburban housing and other uses. There have never been any complaints of interference or water shortages.


James A. Goodman, Hydrologist

Bibliography

- Allen, J.C., D. Illes, A. Petres, 1984, Ground Water Resource Inventory, Draft Final Analysis of Ground Water and Streamflow Data Western Dakotas Region of South Dakota, SDGS, Vermillion, S.D.
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, U.S. Army Corps of Engineers, SDSM&T Project #2553, Rapid City, S.D.
- Water Rights, 1984, Observation Well File PE-64B, DWNR-Water Rights, Joe Foss Bldg., Pierre, S.D.

WP ~~OF WR No.~~ 1880-2

Instruction to Newspaper - Publish first publication of the following Notice on or before August 14, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1880-2 to Appropriate Water and/or to Amend Water Permit or Water Rights No. _____

Notice is hereby given that David Norman whose mailing address is PO Box 779, Rapid City, South Dakota has made an application for a permit

to appropriate 0.18 cubic feet per second of water from groundwater, one Minnelusa Formation well 1545 feet deep located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26-T1N-R7E. The water will be used for Commercial purposes.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1880-2 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 Civil Defense Room, Capitol Building, Pierre, South Dakota, September 26 1984 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on 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 September 14, 1984. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason 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, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(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 September 14, 1984.

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County _____)

I, Mary K. Garness 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 _____

City 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:

August 14, 1984

August 21, 1984

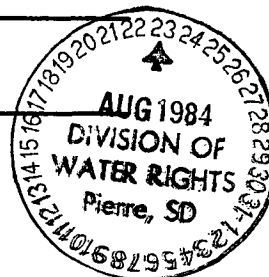
Mary K. Garness
(Signature)

Bookkeeper

(Title)

August 21, 1984

(Date Signed)



Cost of Printing: Ran 7 15/16 inch legal
advertising in the Rapid City Journal
on August 14 & 21 @ \$4.20 per inch
= \$66.68

Aug. 14, 21 L060
DWNr 806-7/83
WP 1880-2

NOTICE OF HEARING ON
APPLICATION NO. 1880-2
TO APPROPRIATE WATER

Notice is hereby given that David Norman whose mailing address is P.O. Box 779, Rapid City, South Dakota has made an application for a permit to appropriate 0.18 cubic feet per second of water from ground-water, one Minnelusa Formation well 1545 feet deep located in the NE1/4SW1/4 Section 26-T1N-R7E. The water will be used for Commercial purposes.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1880-2 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 Civil Defense Room, Capitol Building, Pierre, South Dakota, September 26, 1984 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on 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 September 14, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason 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.

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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 September 14, 1984.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

October 23, 1984

David Norman
Box 779
Rapid City SD 57709

Dear Mr. Norman:

Enclosed herewith is your Water Permit No. 1880-2 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. 1880-2.

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: ks

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.

WNR-809-5/83

Conversation or File Documentation

NAME OF PERSON OR FILE: Jack NormanADDRESS: HCR 33 Box 9000, Rapid City, SD 57701 COUNTY DATE: April 15, 1987 TELEPHONE 342-7084RE: Inspection for Rushmore Waterslide Park (348-8962)

COMMENTS:

Mr. Norman called in inquiring about how to go about getting the water license issued for the permit under David Norman's name. The system has been completed and water put to beneficial use.

He seemed to be very concerned about getting this done right away. I told him we would schedule it for inspection. I also told him we would call him and let him know when the inspection would be.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1880-2

April 28, 1987

Jack Norman
HCR 33, Box 9000
Rapid City, South Dakota 57701

Dear Mr. Norman:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

Copy of permit application is enclosed for your information.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

June 23, 1987

Jack Norman
HCR 33 Box 9000
Rapid City, SD 57701

RE: Rushmore Water Slide Park

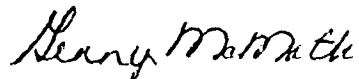
Dear Mr. Norman:

This letter is to remind you that we have not yet received the "Notice of Transfer" and the \$2.50 filing fee from you as requested in our letter of April 28, 1987. The "Notice of Transfer" was for use in transferring Water Permit No. 1880-2 from David Norman to you.

The fee for inspection and issuance of Water License No. 1880-2 was received from you on June 8, 1987. The water license is ready to be issued, however, before this is done, the permit should be listed in your name.

Please return the completed transfer form and the \$2.50 filing fee as soon as possible. If you need another form, please contact me and I will send one to you.

Sincerely,



Genny McMath
Natural Resources Analyst

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410922

Pierre, June 26, 1987

RECEIVED OF Rushmore Waterslide Park, HCR 33, Box 9000, Rapid City, SD 57701

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

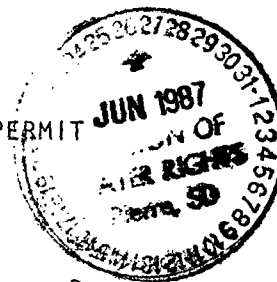
Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1880-2</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

Chief Engineer

John Hatch
JOHN HATCH ms

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: May 1st 1987

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

Water Permit No. 1880-2 for commercial purposes in Rushmore Waterslide Park;

diversion point located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T1N, R7E

formerly owned by David Norman, Box 779, Rapid City, SD 57709

has been transferred to Rushmore Waterslide Park, HCB 33, Box 9000 Rapid City 57701

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water ~~Right~~ Permit No. 1880-2 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 Div. 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)
) ss.
County of Pennings

I, DAVID NORMAN 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 information herein stated is true.

David Norman
(Signed)

Subscribed and sworn to before me this 25 Day of June, 1987.

Lorna J. Krueger
(Notary Public)





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1880-2

May 12, 1987

Jack Norman
(Rushmore Waterslide Park)
HCR 33, Box 9000
Rapid City, South Dakota 57701

Dear Sir:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1880-2 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410904

Pierre, June 8, 1987

RECEIVED OF Rushmore Water Slide Park, Jack Norman, HCR 33, Box 9000, Rapid City, SD
the following amount in fees for services rendered as provided for by law: 57701

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. <u>1880-2</u>	50	00
Fee for Filing Transfer Form _____		
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	50 00

By John Hatch
Chief Engineer JOHN HATCH (ms)

Permit No. 1880-2
upper Cheyenne
10/20110 Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Jack Norman
(Rushmore Waterslide Park) of HCR 33 Box 9000, Rapid City, 57701 holder of
 Permit No. 1880-2, bearing the priority of April 19 19 84 authorizing
 the diversion of 0.18 cu. ft. per second of the waters of Minnelusa Fm.
 for commercial purposes, in Pennington County.

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

A. Works used to divert the water:

Grundfos Pump 20 H.P. motor
Model SP 16-20

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

assorted pipelines to carry water to waterslide, pools, restaurant,
facilities. The above pump is used to fill 10,000 gallon storage tank and
is then pumped to main circulation tank.

C. Works used to apply water to beneficial use:

Slide, whirlpool, swimming pool, etc.

The system is in the following condition Good

The point of diversion is located 2600' N20°E of SW corner
Section 26 - T1N - R7E

The works are capable of diverting and conveying to the place of use 0.17

cu. ft. per second of water which is to be used for commercial purposes - waterslide, pools, facilities

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

comprising a total of — acres of land and the license should be issued for 0.17 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date 5/8/87

Tim Hallford
 (signature)
 Natural Resources Engineer

LICENSE FOR PERMIT NUMBER 1880-2

1. Legal location of wells: 2600' N20°E of SW corner
Section 26. T1N - R7E

dams & structures: _____

2. Well Information: Well Drilling Firm Taylor Drilling

No. of wells 1 Depth 1545'

Casing a) diameter 7" 5 1/2" Screen a) type none
b) length 925' 530' b) length -
c) type _____ Static Water Level 320'

Pump a) make Grundfos Motor a) make Submerged
b) model 3P 16-20 b) model no. _____
c) size _____ c) horsepower rating 20 H.P.
d) capacity 75 GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:
a) size of lines _____
b) type _____
c) length _____

4. Dam information:
a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

i) Outlet tubes:
1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

5. System Type: a) sideroll: b) towline:
1) length _____ feet 1) length _____ feet
2) diameter of pipe _____ 2) make, model & number of sprinklers _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____ 3) spacing of sprinklers _____
5) nozzle size _____ 4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

not needed

✓

✓

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

2. Special Qualifications to permit being abided by.

3. All Structures, wells and lands on map.

REMARKS:

State of South Dakota
Water License No. 1880-2

(1) David Norman
of Box 779, Rapid City, South Dakota
made Application No. 1880-2, April 19, 1984 for a water permit to appropriate
0.18 cubic feet per second of water from groundwater (one well),
Pennington County, South Dakota for commercial purposes.
Permit No. 1880-2, with a priority date of April 19, 1984
was approved September 26, 1984 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before September 26, 1989 and for the application to beneficial use of said
water on or before September 26, 1993.

On June 26, 1987, Water Permit No. 1880-2 was transferred to Rushmore Waterslide Park.

and

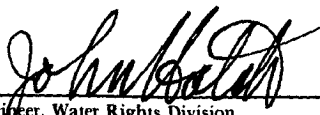
(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 0.17 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 2600' N20°E of the SW Corner of
Section 26, T1N, R7E.

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, water is diverted through assorted pipelines to the
waterslide, pools & restaurant facilities of Rushmore Waterslide Park.

(4) Pursuant to §46-5-30.1 Rushmore Waterslide Park
of HCR 33, Box 9000, Rapid City, South Dakota 57701
the holder(s) and/or owner(s) of Water Permit No. 1880-2 is issued a license to appropriate water, the right to use
0.17 cubic feet per second of water from groundwater (one well) with a priority date
of April 19, 1984 from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of commercial use

This license is subject to any limitations or qualifications listed in Water Permit No. 1880-2 and subject
to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

NOV 2 1987



Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

NOV 2 1987

Rushmore Waterslide Park
HCR 33, Box 9000
Rapid City, South Dakota 57701

Dear Sir:

Enclosed herewith is, Water License No. 1880-2. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch". The signature is written in dark ink and is positioned above the printed name and title.

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures



DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 6, 1990

Carolyn Seidler
Suite 102
731 St Joe
Rapid City, SD 57701

Dear Ms. Seidler:

Enclosed, as you requested, is a copy of Water License No. 1880-2 for Rushmore Waterslide Park and a copy of Water Permit No. 1960-2 for Marine Life Aquarium. Permit No. 1960-2 has not yet been licensed.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resource Analyst
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

September 1, 1998

1880-2

Tami Morrison
Johnson, Huffman & Clayborne
PO Box 6900
Rapid City, SD 57709

Dear Ms. Morrison:

Enclosed, as you requested, is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with Water Right No. 1880-2. The water right is currently listed in the name of Rushmore Waterslide Park.

The form should be completed by the new owner and signed in the presence of a notary public. Upon completion, please return the form to our office with a required filing fee of \$2.50.

The transfer can be filed with us as soon as the land changes hands. Under South Dakota Water Laws, the new owner has 90 days in which to file an ownership change.

If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

encl

NOTICE OF TRANSFER OF OWNERSHIP



To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 1880-2

Date: Sept 16, 1998

I/We request that Water Right No. 1880-2

formerly owned by: Rushmore Waterslide Park

be transferred to: (name & address) Rushmore Waterslide Inc. Box 8084, Rapid City
SD 57709-8084 Telephone No. 605-348-8962

Title to the following described land(s)/property has been transferred as described above:

diversion point location: NE 1/4 SW 1/4 Section 26, T1N, R7E

I/We understand that the validity of Water Right No. 1880-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

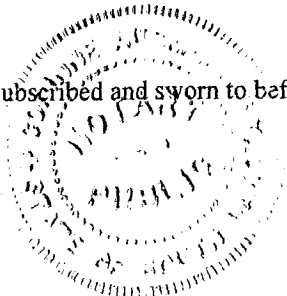
STATE OF SOUTH DAKOTA)

County of Pennington)

I, RONALD J. STEVENS, PRES 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 that I know of my own personal knowledge that the information herein stated is true.

R. J. Stevens - pres.
(Signed)

Subscribed and sworn to before me this 16 day of September, 19 98.



Corinne Aumann
(Notary Public) 2-18-2005

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 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.



BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS:

That Rushmore Waterslide Park Limited Partnership, Omni, Inc., General Partner, of the City of Rapid City, County of Pennington, State of South Dakota, party of the first part, for and in consideration of the sum of One Dollar (\$1) and other good and valuable consideration in hand paid, at or before the delivery of these presents, by Rushmore Waterslide, Inc., a South Dakota corporation, of the City of Rapid City, County of Pennington, State of South Dakota, party of the second part, the receipt whereof is hereby acknowledged, has bargained, sold, granted and conveyed, and by these presents does bargain, sell and convey unto the said party of the second part, its executors, administrators, and assigns, the following described personal property, namely:

Water Right No. 1880-2 issued by the Department of Environment and Natural Resources, State of South Dakota

Diversion point location: NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T1N, R7E, Pennington County, South Dakota

TO HAVE AND TO HOLD the same unto the said party of the second part and its executors and administrators and assigns, forever. And the party of the first part does for itself and its heirs, executors and administrators, covenant and agree to and with the said party of the second part, to warrant and defend the said property hereby sold unto the said party of the second part and its executors, administrators and assigns, against all and every person and persons whatsoever.

IN WITNESS WHEREOF, Rushmore Waterslide Park Limited Partnership, by Omni, Inc., General Partner, has hereunto set its hand the 15 day of Sept, 1998.

RUSHMORE WATERSLIDE PARK LIMITED
PARTNERSHIP By Omni, Inc., General Partner

By Jack Roman
President

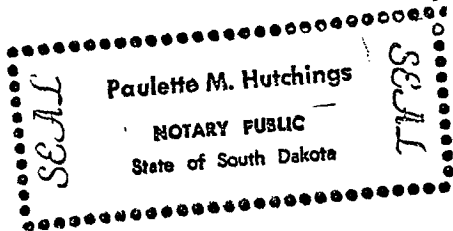
State of South Dakota)
) ss.
County of Pennington)

On this 15 day of Sept, 1998, before me, the undersigned officer, personally appeared JACK Norman as President of Omni, Inc., as General Partner of Rushmore Waterslide Park Limited Partnership, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I have hereunto set my hand and official seal.

Paulette M. Hutchings
Notary Public, South Dakota
My Commission Expires: 2-8-2004

(SEAL)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

September 17, 1998

1880-2

Ronald J Stevens, President
Rushmore Waterslide, Inc.
PO Box 8084
Rapid City, SD 57709-8084

Dear Mr. Stevens:

Thank you for submitting the "Notice of Transfer of Ownership" for Water Right No. 1880-2. The transfer has been completed and our records now show Rushmore Waterslide Inc., as the owner of the water right.

Enclosed is Receipt No. 415865 in the amount of \$2.50 which you paid for filing the ownership change. If you have any questions concerning the water right, please give me a call.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

encl

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410922

Pierre, June 26, 1987

RECEIVED OF Rushmore Waterslide Park, HCR 33, Box 9000, Rapid City, SD 57701

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

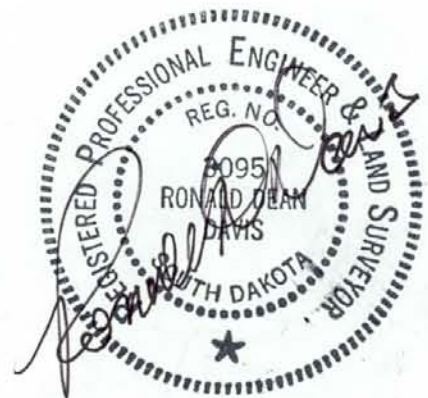
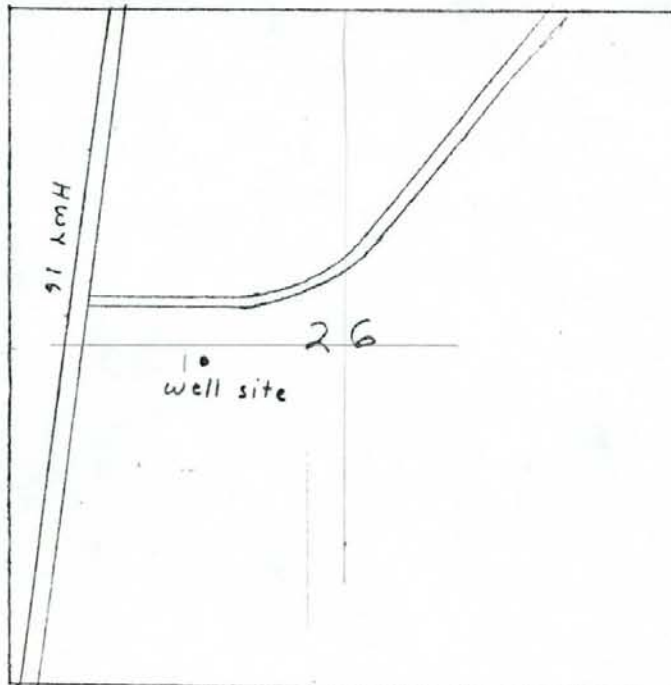
Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 1880-2	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 John Hatch
Chief Engineer JOHN HATCH MS

NE⁴ SW⁴ Sec 26

R 7 E.

T 1 N.



A/M 1880-2