

Considered: _____

WATER PERMIT NO. 1943-2

MAP No. Same

Name of Applicant Lake Park Motel

Post Office Address RR 11 Box 1500 Rapid City, S.D.

Amount of Water Claimed 0.10 cfs Total Acres N.A.

Source of Water Supply Groundwater

Water to be used for COM County Pennington

About _____ miles _____ of in Rapid City.

PROOF OF PUBLICATION: Received 1st 10-15-85 Not Received _____

APPLICATION: Approved 12-4-85 Subject to _____

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

PRIORITY _____ Date Received 9-3-85 Fee \$5000 Remarks _____

9-3-85

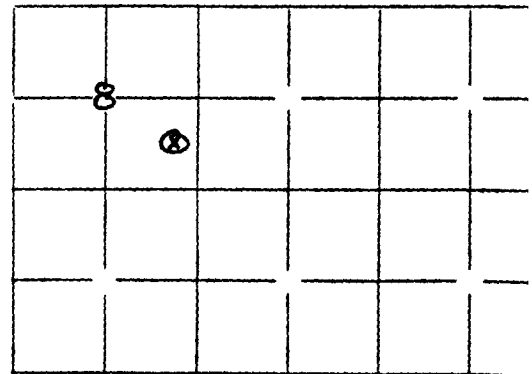
Corrected Application Received _____ Period of Annual Use Jan. 1 to Dec. 31

WATER QUALITY APPROVAL RECEIVED N.A. APPROVED/CONDITIONAL (Circle one)

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

Diversion Point NE⁴ SE⁴ sec. 8 T1N-R7E

Land to be Irrigated N.A.



Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well 170 Feet REMARKS No log available

Type of Map Plat PREPARED BY Warren Fisk Reviewed and the Number

assigned on 9-18-85 By R.C. Larson

No. <u>1943-2</u>	Hydrologic Unit <u>10120110</u>
Map No. <u>same</u>	Basin <u>Upper Cheyenne</u>
Newspaper <u>R.C. Journal</u>	<u>Box 450</u>

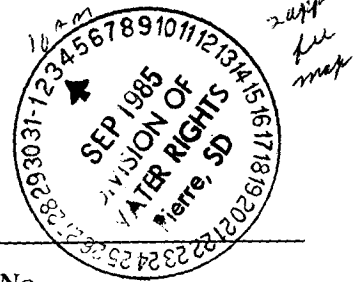
Application For Permit To Appropriate Water Within The State Of South Dakota

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

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____

1. Name of Applicant Lake Paul Mott Phone No. 343-0234
 Post Office Address Box 1500 Rapid City State SD Zip Code 57702
 (Street, RR or Box)
2. Amount of water claimed (c.f.s) 45 gpm
3. Source of water supply Well
4. Location of point of diversion Lot 26 of Kashmir Sub
NE 4 SE 4 section 8 T1N-R7E
- County Bennington
5. Counties where water will be used Bennington
6. Annual period during which water is to be used Jan. 1 to Dec. 31
7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)



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

STATE OF SOUTH DAKOTA)
 County of _____)

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

Signed Garry Jeffords
 Subscribed and sworn to before me this 10th day of September 1985
Dan Mershe My Commission expires 6/7/93
 Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1943-2

Lake Park Motel (Applicant) RR 11 Box 1500, Rapid City (Post Office Address)

South Dakota (State) 57702 (Zip Code) 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 September 3, 1985.

Date of return to applicant for correction, amendments or changes required -, 19-.

Date of receipt of corrected application -, 19-. Approved December 4, 1985.

The Water Management Board hereby approves this Water Permit No. 1943-2 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is September 3, 1985.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before -, 19-.
3. The whole of said work is ~~to be~~ completed ~~on or before~~ -, 19-.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is -, 19-.
5. The water appropriated shall be used for the purpose of Commercial - Motel water supply
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.10 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 to which water is actually and beneficially applied for Commercial use on or before -, 19-; said water to be used during the following described annual period: January 1 to December 31



WATER MANAGEMENT BOARD

By: John Kates
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

FEB 11 1986

_____, 19____

Supplemental Information

(type or print in ink)

1. Well Information - ~~Proposed construction~~ *Existing*

- a) Drill Hole Diameter _____ Depth 170'
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth of Water (ground surface to water level) 40'
- g) Distance to nearest existing domestic well:
- On applicants property none On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth 2'
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

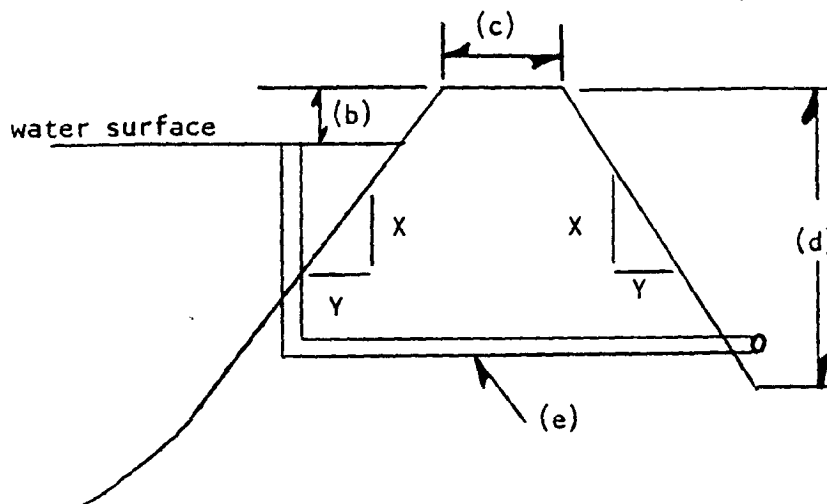
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

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

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

September 27, 1984

Lake Park Motel
Rt. 11, Box 1500
Rapid City, SD 57701

Dear Mr. Jeffords:

The Division of Environmental Quality of this Department is conducting a survey of non-community public water supply systems. As a part of the survey, we have reviewed our records and we can not find any water rights on file for Lake Park Motel.

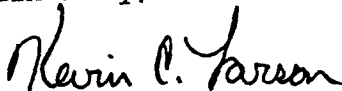
A water permit is required pursuant to SDCL 46-1-15 to use water from a private source for commercial use. Any use of water, except for private domestic use, requires a water permit. Examples of commercial use are: truckstops, motels, restaurants, tourist attractions, commercial campgrounds and any other business operation. Examples of non-commercial use that require permits for private supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute.

If you have a water permit that has been issued under another name or if you believe a permit has been issued under another name, please contact us. We are enclosing the necessary permit application forms and instructions, if you need a permit. Please complete and submit with a (see instructions) filing fee.

An existing business without a water right has no right to the use of water. Except for private domestic use, any water user without a water right is not entitled to receive protection in the event of well interference by a new or future user who has a water right. The new user with a water right will have the senior priority over an existing user without a water right. In South Dakota, the first in time (senior priority) is the first in right, except for individual domestic use. Individual household, farm or ranch use does not require a permit and has preference over all other users of water.

If you have any questions or need assistance with completion of the forms, please feel free to contact us.

Sincerely,



Kevin C. Larson
Water Resources Engineer
Office of Water Rights
Phone: (605) 773-3352

Enclosures



Department of Water & Natural Resources

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

April 25, 1985

NOTICE

Lake Park Motel
Rt 11, Box 1500
Rapid City, South Dakota 57701

Dear Mr. Jeffords:

September 27, 1984 we notified you that State Law requires that a water permit be obtained for any use of water from a private source for use in a motel. We have not heard from you on this. Failure to comply with State Laws--SDCL 46-1-6(6), 46-1-15, 46-5-8.2, 46-5-9, and 46-5-10 and Water Management Board Rule ARSD 74:02:01:03--can result in an order to stop water use until an application for a water permit has been submitted and approved.

If you have questions or need another set of permit applications forms or if you believe you already have the required water permit or need assistance in completing the forms, feel free to contact us. Please submit the completed application forms prior to June 25, 1985.

Sincerely,

A handwritten signature in cursive script that reads "John Hatch".

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

S519.WR

Water Rights Division
605 773-3352

September 5, 1985

Lake Park Motel
Rt 11, Box 1500
Rapid City SD 57702

Mr. Jeffords:

Thank you for receipt of your water permit application. I am returning both copies of Form 2 to be notarized. I am also returning your check for \$75.00. The filing fee schedule is as follows:

0-45 gpm	\$50.00
45-75 gpm	150.00
75-150 gpm	225.00

Upon receipt of the notarized copies of Form 2 and the appropriate filing fee we will continue processing your application. If you have any questions, please contact this office.

Thank you,

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

enclosure

NORTH
1"=50'



I, the undersigned, a Registered Land Surveyor, do hereby certify that this BUILDING LOCATION DRAWING was made by me or under my direct supervision and that it correctly shows the relationship of the existing buildings and improvements shown to the platted property lines of the land indicated hereon, using the property boundaries as determined in the field, and that all easements and structural encroachments in evidence or known to me at this time are accurately shown hereon.

THIS BUILDING LOCATION CERTIFICATION IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE USED AS SUCH TO ESTABLISH PRECISE PROPERTY LINES.

Warren L. Fisk

WARREN L. FISK, REGISTERED LAND SURVEYOR #1117 in the STATE OF SOUTH DAKOTA



App # 1943-2

RECEIPT

Division of Water Rights

No 4 10174

South Dakota Department of Water and Natural Resources

Pierre, September 11, 1985

RECEIVED OF Lake Park Motel, RR 11, Box 1500, Rapid City, SD 57702

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

Fee for Application for Permit No. 1943-2 to Appropriate Water, to construct works and to put water to beneficial use	50	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	50	00

By John Hatch
Chief Engineer

JOHN HATCH

REPORT ON APPLICATION NO. 1943-2

LAKE PARK MOTEL

September 25, 1985

This application proposes to appropriate 0.10 cfs from an existing 170' deep well located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T1N, R7E BHM. The water is used in the operation of a motel.

Aquifer - Minnelusa Formation

Geology and Aquifer Characteristics

The Minnelusa Formation consists of sandstone, dolomitic limestone with some shale and is 560 to 640 feet thick in this area (Cattermole, 1969). The SDGS estimates there are 51.4 million acre feet of recoverable water from the Minnelusa Formation in Pennington County (Allen, Etal. 1984). The well is located near the outcrop of the Minnelusa Formation and may be under water table conditions. The information supplied with the application is sketchy and no driller's log is available.

Review of Existing Water Rights

There are two existing groundwater permits for Minnelusa Formation wells within $\frac{1}{2}$ mile of this application. They are Permit Nos. 1124-2 for Chapel Lane Water Company and 435-2 for the City of Rapid City. There are large springs (Cleghorn and Jackson) in this area which are also covered by permit. There is no information available which would indicate the well for this application has affected the rights established for the springs or that any other ground water diversion in this area has affected the spring flows, but this is not documented. The Water Rights Division presently monitors a Minnelusa Formation well (PE-64B) in this area and the water levels for this well indicate climatic conditions affect the water more than withdrawals (Water Rights Division, 1985).

Conclusions

1. Water is available from the Minnelusa Formation.
2. This is an existing well and has been in use for some time without any complaints.
3. There is no information available to access possible ground water diversions upon spring flow. The surface water in Rapid Creek is regulated and also the springs are affected by precipitation events which further complicate the hydrology (see Rahn and Gries, 1973).
4. The actual diversion of this application is small and there should be no noticeable impact on other area ground water diversions.


JAMES A GOODMAN
Hydrologist

Bibliography

Allen, J.C., D. Illes, T. Petres, 1984, Draft Final Groundwater Resources Inventory, For U.S. Army Corps, DWNr, SDGS, Vermillion SD 57069.

Cattermole, J.M., 1969, Geologic Map of the Rapid City West Quadrangle, Pennington County, SD, Map GQ-828, USGS, Washington D.C.

Rahn, P.H., J.P. Gries, 1973, Large Springs in the Black Hills, South Dakota and Wyoming, R.I. No. 107, DWNr, SDGS, Vermillion SD 57069.

Water Rights, 1985, Observation Well PE-64B, DWNr, Water Rights, Joe Foss Bldg., Pierre SD 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 1943-2, Lake Park Motel

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. 1943-2, Lake Park Motel, Rt 11, Box 1500, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 1943-2 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 rights, 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
September 26, 1985

Instruction to Newspaper - Publish first publication of the following Notice on or before October 4, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1943-2 to Appropriate Water
and/or to Amend Water Permit or Water Right No. _____

Notice is hereby given that Lake Park Motel whose mailing address is
RR 11, Box 1500, Rapid City, South Dakota has made an application for a permit

to appropriate 0.10 cubic feet per second from one existing well 170 feet deep located in the NE 1/4 SE 1/4 Section 8, T1N, R7E. Water is for use in a motel.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1943-2 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 Howard Johnson,
Badlands Room, 2211 laCrosse, Rapid City SD on December 4 19 85 at 10:00 am.

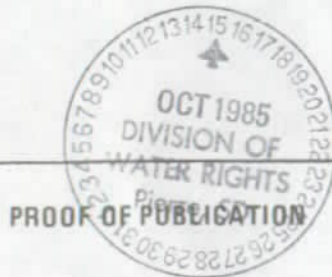
The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who 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 November 22, 1985. 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) ~~46-5-38 thru 46-5-40, (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNr, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 22, 1985.

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



No. _____

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:

October 4, 1985

October 11, 1985

Mary K. Garness
(Signature)

Bookkeeper
(Title)

October 11, 1985

(Date Signed)

Cost of Printing: Ran 9 7/16 inch legal
advertising in the Rapid City Journal
on October 4 & 11 @ \$4.20 per inch =
\$79.28

Ran public notice of water application

4.11 L395

**NOTICE OF HEARING
ON APPLICATION 1943-2
TO APPROPRIATE WATER**

Notice is hereby given that Lake Park Motel whose mailing address is RR 11, Box 1500, Rapid City, South Dakota has made an application for a permit to appropriate 0.10 cubic feet per second of water from one existing well 170 feet deep located in the NE 1/4 SE 1/4 Section 8, T1N, R7E. Water is for use in a motel.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1943-2 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 Howard Johnson's, Badlands Room, 2211 LaCrosse, Rapid City, S.D., on December 4, 1985 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 November 22, 1985. 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.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25; 46-5-30.2, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNRR, Joe Foss Bldg., Pierre, S.D., (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 November 22, 1985.



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

FEB 11 1986

Lake Park Motel
RR 11, Box 1500
Rapid City, SD 57702

Dear Sir:

Enclosed is your Water Permit No. 1943-2 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

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

enclosure



Department of Water & Natural Resources

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

December 4, 1990

1943-2

Lake Park Motel
RR#1 Box 1500
Chapel Lane
Rapid City, SD 57702

Attention: Greg

Dear Greg:

Enclosed, as you requested, is a copy of Water Permit No. 1943-2 and a blank "Notice of Transfer of Ownership" form. The permit is currently listed in the name of Lake Park Motel.

At the time the application was submitted, there was no well log available. If the well was drilled to the depth stated in the application (170 feet), it would be in the Minnelusa Formation.

If you have any questions, please contact us.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Natural Resources Analyst
(605 773-3352)

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

No. _____

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: December 11, 1990I/We request that Water Permit/Right No. 1943-2formerly owned by: Lake Park Motel - Garry Jeffordsbe transferred to: (name & address) Lake Park Motel, Gregory D. Whitche,
owner, R.R. 11, Box 1500, Rapid City, SD 57702 (telephone No.) 343-0234

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

yes

I/We understand that the validity of Water Permit/Right No. 1943-2 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 at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of Pennington)

I/We Gregory D. Whitche 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.

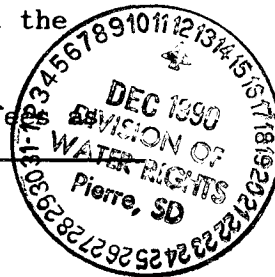
Gregory D. Whitche
(Signed)

Subscribed and sworn to before me this 11 day of December, 19 90.

Karm Thup exp 10/5/91
(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.



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412449

Pierre, December 13, 19 90

RECEIVED OF Lake Park Motel, Chapel Lane, RR #11 Box 1500, Rapid City SD 57702

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. 1943-2</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

John Hatch / mra
Chief Engineer



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 1, 1991

Gregory D Whitcher
Lake Park Motel
RR #11 Box 1500
Rapid City, SD 57702

Dear Mr. Whitcher:

Enclosed is your receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 1943-2. Water Permit No. 1943-2 was transferred to you, dba Lake Park Motel on December 12, 1990. Upon going through the file, I realized you had never been notified of the transfer or forwarded the receipt.

I apologize for the delay, if you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 12, 1997

Gene Quinn
Lake Park Motel
4510 Shore Drive
Rapid City, SD 57702

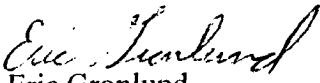
Dear Mr. Quinn:

On September 10, 1997, I conducted a licensing investigation of Water Permit No. 1943-2 which appropriates water from a well used at the motel. As I indicated during our conversation, I am enclosing a partially completed 'Notice of Transfer of Ownership' for you to complete to get the permit in your name. Please review the information listed, sign in the presence of a notary public, and return in the enclosed envelope along with the \$2.50 filing fee. I am also enclosing a copy of Water Permit No. 1943-2.

You will be prompted in the future for the required \$50 licensing fee once I complete the licensing investigation report.

Please feel free to contact me if you have any questions.

Sincerely,


Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures

Information on well pumps for Eric Gronlund, Water Rights Program



LAKE PARK MOTEL

Pump - Make FLINT & WALLING
Model 4F19B10301
Size 20 GPM
Horsepower 1 HP
Capacity 21 GPM @ 40 F.S.I.

WINDMILL TRUCK STOP

Pump - Make FLINT & WALLING
Model 4F35A50
Size 5 HP
Horsepower _____
Capacity 47 G.P.M.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 29, 1997

1943-2

Lake Park Motel
c/o Gene Quinn
4510 Shore Drive
Rapid City SD 57702

Dear Mr. Quinn:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 1943-2, was completed by Eric Gronlund on September 10, 1997. Your final water right document, the Water License, can now be issued.

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

Also, enclosed is another *Notice of Transfer of Ownership* form. This form needs to be signed, notarized and returned with a \$2.50 filing fee.

Please submit \$52.50 to: Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352

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

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1943-2

Date: 1-13-98

I/We request that Water Permit No. 1943-2

formerly owned by: Lake Park Motel, c/o Gregory D Whitcher, Rapid City SD

be transferred to: (name & address) Lake Park Resort Motel, INC.,
Lake Park Motel, c/o Gene Quinn, 4510 Shore Drive, Rapid City SD 57702

Telephone No. 343-0234

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

one well located in the NE 1/4 SE 1/4 Section 8-T1N-R7E (commercial use)

I/We understand that the validity of Water Permit No. 1943-2 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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Penn.)

I/We Gene Quinn 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.

Gene R. Quinn

(Signed)

Subscribed and sworn to before me this 13th day of Jan, 19 98.



[Signature]
(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 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.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

19 415593

Pierre, January 14, 19 98

RECEIVED OF Lake Park Resort Motel, Inc., %Gene Quinn, 4510 Shore Dr., Rapid City, SD 57702
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form Water Permit No. 1943-2

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By _____
Chief Engineer

John Hatch (Y)

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

42 415594

Pierre, January 14, 1998

RECEIVED OF Lake Park Resort Motel, Inc., %Gene Quinn, 4510 Shore Dr., Rapid City, SD 57702
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. 1943-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By _____
Chief Engineer

John Hatch



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 27 1998

1943-2

Lake Park Resort Motel, Inc.
%Gene Quinn
4510 Shore Drive
Rapid City, SD 57702

Dear Mr. Quinn:

Enclosed is Water License No. 1943-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415593 in the amount of \$2.50 and Receipt No. 415594 in the amount of \$50.00 which you paid for the transfer of ownership, investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1943-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Very truly yours,

A handwritten signature in black ink that reads "John Hatch". The signature is written in a cursive, flowing style.

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

ks
enclosures

REPORT ON INSPECTION OF PERMIT NO. 1943-2, Lake Park Motel

DATE OF INSPECTION: September 10, 1997

Other permit(s) associated with the project: none

Contact Person & Address: Gene Quinn, 4510 Shore Drive, Rapid City, SD 57702

DIVERSION POINT LEGAL LOCATION: NE1/4 SE1/4 Section 8, T2N, R7E

WATER SUPPLY Source: Minnelusa Formation

Well Information:

- | | |
|---------------------------------------|------------------------------------|
| 1) Well Drilling Firm: <u>unknown</u> | 2) No. of Wells <u>one</u> |
| 3) Depth(s) <u>170</u> feet | 4) Well log is available <u>no</u> |

Casing:

- | | |
|----------------------|------------------|
| 1) Diameter # inches | 2) Length # feet |
| 3) Type <u>steel</u> | |

Screen:

- | | |
|------------------------------|------------------|
| 1) Type <u>not known</u> | 2) Length # feet |
| 3) Static water level # feet | |

Pump/Motor:

- | | |
|------------------------------------|------------------------------------|
| 1) Make <u>Flint & Walling</u> | 2) Model <u>4F19B10301</u> |
| 3) Size <u>20 GPM</u> | 4) Capacity <u>21</u> GPM @ 40 PSI |
| 5) Horsepower rating <u>1</u> hp | |

*** Information supplied by Everett Belkum, Farmers Supply Co., 2401 S. Hwy 79, Rapid City, SD

SYSTEM TYPE: not applicable

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by - only qualification is standard well interference
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period not applicable

Permit No. 1943-2
Upper Cheyenne - Water District

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

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

On, September 10, 1997, I made a thorough examination of the water use system constructed for Lake Park Motel, c/o Gene Quinn, 4510 Shore Drive, Rapid City, SD 57702 holder of Permit No. 1943-2, bearing the priority of September 3, 1985 authorizing the diversion of 0.10 cu. ft. per second (45 gpm) from the Minnelusa Formation 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:

170 foot Minnelusa well with a pump set at approximately 60 feet

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

well supplies two pressure tanks

C. Works used to apply water to beneficial use:

at a 28 unit motel - well also serves one house

The system is in the following condition good. The point of diversion is located 1910 feet north and 610 feet west of the SE corner (NE1/4 SE1/4) Section 8, T1N, R7E. The works are capable of diverting and conveying to the place of use 0.05 cu. ft. per second (21 gpm) of water which is being used for commercial purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.05 cfs (21 gpm).

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none

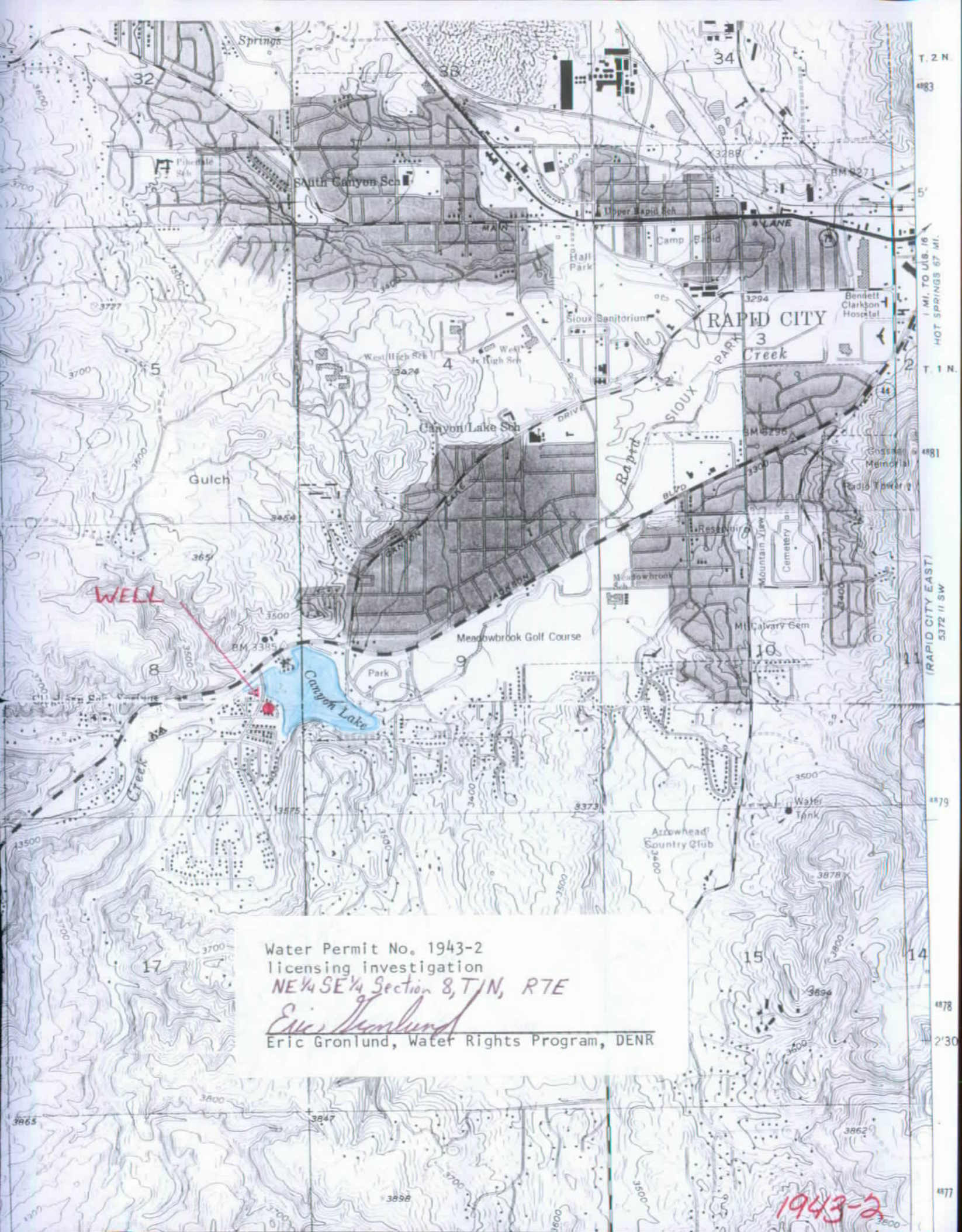


Eric S. Gronlund

Natural Resources Engineer

DENR, Water Rights Program

12/23/97
Date



Water Permit No. 1943-2
licensing investigation
NE 1/4 SE 1/4 Section 8, T. 1 N., R. 10 E.

Eric Gronlund
Eric Gronlund, Water Rights Program, DENR

1943-2

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1943-2

(1) Lake Park Motel, Rapid City SD made Application No. 1943-2, September 3, 1985 for a water permit to divert 0.10 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for commercial purposes. Permit No. 1943-2, with a priority date of September 3, 1985 was approved December 4, 1985 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

On January 14, 1998, Water Permit No. 1943-2 was transferred to Lake Park Resort Motel, Inc.

(2) It is certified that the permit holder 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 0.05 cubic feet of water per second for beneficial use. The location of the diversion point is 1,910 feet north and 610 feet west of the southeast corner of Section 8-T1N-R7E (NE 1/4 SE 1/4).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to supply water to a motel and house.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Lake Park Resort Motel, Inc. c/o Gene Quinn, 4510 Shore Drive, Rapid City SD 57702 the holder and/or owner of Water Permit No. 1943-2 is issued a license to appropriate water, the right to use 0.05 cubic feet of water per second from groundwater (one well) with a priority date of September 3, 1985 from the location specified in (2) of this license for the purpose of commercial use. This license is subject to any limitations or qualifications listed in Water Permit No. 1943-2 and subject to South Dakota State Law.



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

FEB 27 1998

date



February 2, 2006

2005 South Dakota Water Use Questionnaire

1943-2

To:

CANYON LAKE RESORT
LAKE PARK RESORT MOTEL
4510 SHORE DRIVE
RAPID CITY SD 57702

Address correction requested:

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 1943-2. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: MINNELUSA GROUP
Management Unit: NOT APPLICABLE

County: PENNINGTON
Pumping Pt. Legal: SEC 08-T001N-R07E
Type of Water Use: COMMERCIAL

- 1) Please estimate your year 2005 water use from the above water source: 109,000 gallons
2) If no water use in 2005, please list the reason(s) why in the comments section.

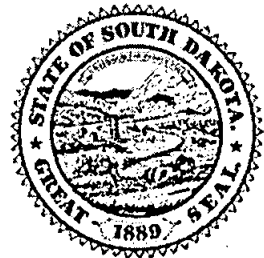
Comments:

Contact Person:

Carrie Aske-Coo

Telephone No:

605-388-8000



Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2005 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr

RECEIVED
FEB 23 2006
WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 24, 2006

1943-1

Canyon Lake Resort
c/o Carrie Asle
4510 Shore Drive
Rapid City SD 57702

Dear Ms. Asle:

Thank you for returning the 2005 Water Use Questionnaire. The form indicated an ownership change for Water Right No. 1943-1. Enclosed is a partially completed "Notice of Transfer" form for filing an ownership change. The water permit is currently listed in the name of Lake Park Resort Motel.

The transfer form should be completed, checked over for accuracy and signed by the new owner. Upon completion, return the form to our office with a required filing fee of \$2.50.

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.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schlaak".

Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

May 12, 2006

1943-1

Canyon Lake Resort
c/o Carrie Asle
4510 Shore Drive
Rapid City SD 57702

Dear Ms. Asle:

On February 24, 2006, I wrote you concerning Water Right No. 1943-1 listed in the name of Lake Park Resort Motel. On the 2005 SD Water Use Questionnaire you indicated that an ownership change had occurred. This is a reminder that we have not received the *Notice of Transfer of Ownership* form.

Enclosed is another partially completed *Notice of Transfer of Ownership* form. The transfer form should be completed, checked over for accuracy and **signed by the new owner.** Upon completion, return the form to our office with a required filing fee of \$2.50.

It is important to us to keep our records current. If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date May 16, 20 06

RECEIVED OF Canyon Lake Resort, 4510 Shore Drive, Rapid City SD 57702

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
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>1943-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

02446

By

Darland Erbele
Chief Engineer *gmm*

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

MAY 16 2006

WATER RIGHTS
PROGRAM

No. 1943-2

Date: _____

I/We request that Water Right/Permit No. 1943-2

formerly owned by: Lake Park Resort Motel

be transferred to: (name & address) Canyon Lake Resort, 4510 Shore Drive,
Rapid City SD 57702

Telephone No. 605 388-8000

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

one well – NE ¼ SE ¼ Sec 8-T1N-R7E

I/We understand that the validity of Water Right/Permit No. 1943-2 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.

I/We Carrie Ciste, the new owner, certify that the above information is true and correct.

Carrie Ciste
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

May 17, 2006

1943-2

Carrie Asle
Canyon Lake Resort
4510 Shore Drive
Rapid City SD 57702

Dear Ms. Asle:

Thank you for following up on the ownership change for Water Right No. 1943-2. The transfer has been completed. The water right formerly listed in the name of Lake Park Resort Motel Inc is now listed in the name of Canyon Lake Resort.

Enclosed is your Receipt No. 02446 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure