

Considered: _____

WATER PERMIT NO. 2165-2

Phone: 745-6901

Name of Applicant: New Underwood Land Partners

Post Office Address: P.O. Box 8134, Rapid City, SD 57709

Amount of Water Claimed: _____ Total Acres: _____

Source of Water Supply: groundwater

Water to be used for: REC, DOM, SHD, COM County: Pennington

About 2 miles West of New Underwood

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 2/19/91 Fee: \$50 Remarks utilizing

a well to maintain a dam for commercial and recreational use

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

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

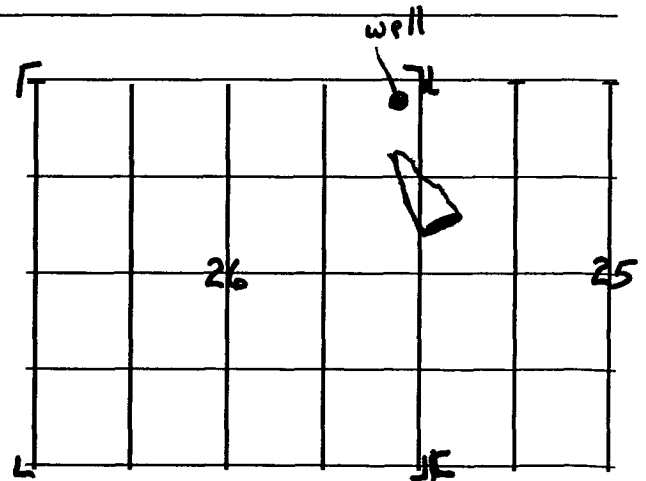
WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: Well - NE1/4 NE1/4 Sec 26-T2N,

R10E. Dam - NW1/4 Sec 25, E1/2 NE1/4 Section 26,

T2N, R10E

Land to be Irrigated: _____



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 2800 REMARKS _____

Type of Map: Plat PREPARED BY: Wrede Reviewed and the Number

Assigned on 2/25/91 By Eric Gronlund

No. <u>2165-2</u>	Hydrologic Unit <u>10120111</u>
Map No. _____	Basin <u>Upper Cheyenne</u>
Newspaper <u>RC Journal</u>	PO Box <u>450, RC, SD 57709</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 ☒☒ ~~XXXXXX~~ ~~Permit No. 2097-2~~ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ N/A☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. N/A☐ Construction to use water reserved by Future Use Permit No. N/A1. Name of Applicant New Underwood Land Partners Phone No. (605) 745-6901Post Office Address P. O. Box 8134, Rapid City State SD 57709
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) .07 cfs (same as Permit No. 2097-2)3. Source of water supply Inyan Kara Formation Well4. Location of point of diversion Northeast Quarter Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section
 Twenty-Six (26), Township Two (2) North, Range Ten (10) East of the Black
 Hills Meridian (same as Permit No. 2097-2), all in T2N, R10E, Pennington County
 Dam impoundment NW $\frac{1}{4}$ Sec 25, E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 26,5. Counties where water will be used Pennington (same as Permit No. 2097-2)6. Annual period during which water is to be used 1/1 to 12/31 (same as Permit No. 2097-2)

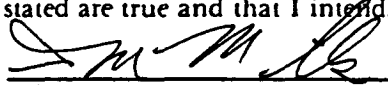
7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Amendment of Permit No. 2097-2 to include commercial and recreational use for lake stabilization. Water will be used to enhance future residential development, and to assure safe water levels for daily training and scheduled and AWSA sanctioned competitive events (regional and interstate tournaments). Since average precipitation and runoff is approximately 181 acre feet and May/October evaporation is about 32 acre feet, makeup should only be necessary

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

STATE OF SOUTH DAKOTA)
 County of Pennington)^{ss}

I, New Underwood Land Partners the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed 
 Timothy M. Mills, Agent

Subscribed and sworn to before me this 15th day of February 1991

Supplemental Information

(type or print in ink)

Actual

1. Well Information - ~~Proposed~~ construction

- a) Drill Hole Diameter 6-1/4" Depth 2800'
- b) Casing Type Iron Diameter 2 7/8" Thickness 1/4"
- c) Screen Type N/A Diameter Thickness
- d) Gravel Pack Thickness N/A Length of Gravel Pack N/A
- e) Depth to Top of Water Bearing Material 2600'
- f) Depth to Water (ground surface to water level) 2700'
- g) Distance to nearest existing domestic well:
- On applicants property N/A On property owned by others 1 3/4 miles

2. Dugout Information Estimates

- a) Surface Dimensions 2100 x 225 +' Depth 5'
- b) Depth to water (ground surface to water level) varies' 0-12"

3. Water Storage Dams

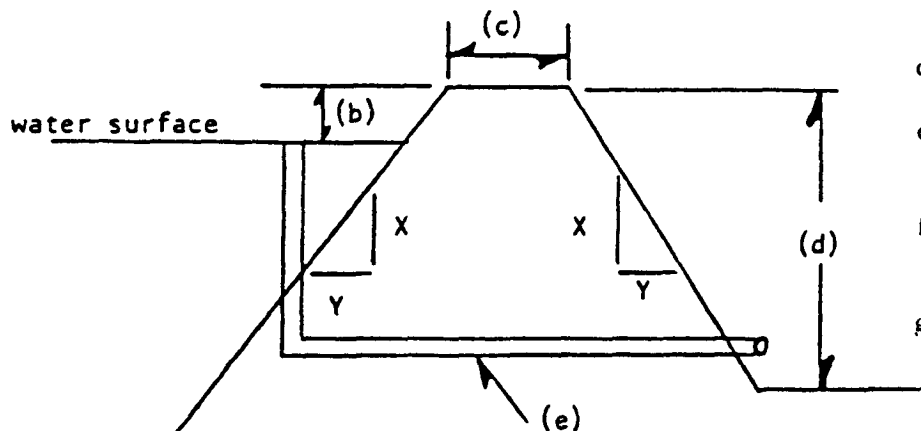
If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

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

Donald C. Wrede, P.E.

SD No. 3938

(dam is existing)



- b) Freeboard 3' ±
- c) Crest Width 5' - 10'
Crest Length 100' ±
- d) Height 12'
- e) Primary Outlet Capacity 12" cmp
If Pipe, diameter
- f) Secondary Spillway Capacity
Spillway width 20'
- g) X & Y Slope 1:2
Upstream
Downstream

Surface Area of Impoundment 10.5 acres

Storage 60 acre feet

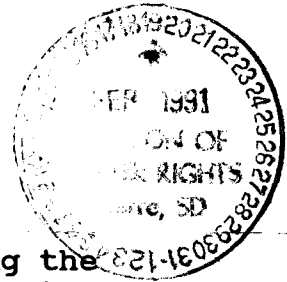
Drainage area above dam 1230 acres

NEW UNDERWOOD LAND PARTNERS

BY: Timothy M. Mills

Signature of Applicant Timothy M. Mills, Agent

AMENDMENT OF PERMIT NO. 2097-2 (Continued)



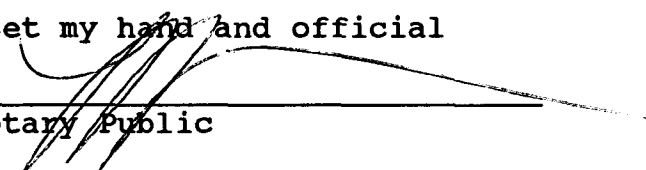
in dry conditions. A summary of related water permits is attached and incorporated herein along with a plat locating the diversion point. The New Underwood wells are two (2) miles to the east as shown in the FIRM map also attached for reference.

CERTIFICATION

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

On this the 15th day of February, 1991, before me, the undersigned officer, personally appeared Timothy M. Mills, known to me to be the person whose name is subscribed to the attached Form 2, Application for Permit to Appropriate Water within the State of South Dakota, and acknowledged that he executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.



Notary Public

(SEAL)

My Commission Expires:

8/27/93

SOUTH DAKOTA
WATER PERMIT No. 2165-2

Date of first receipt of application February 19, 1991.

Date of receipt of corrected application February 20, 1991.

The Water Management Board approved Water Permit Application No. 2165-2 on May 1, 1991 for New Underwood Land Partners, PO Box 8134, Rapid City, SD 57709 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2165-2 authorizes diversion of 0.07 cubic feet of water per second (cfs) from one existing well (Inyan Kara Formation) 2800 feet deep authorized by Water Permit No. 2097-2 to maintain the lake level of a dam. Water Permit No. 2097-2 appropriates 0.07 cfs from one well located in the NE1/4 NE1/4 Section 26, T2N, R10E for domestic and suburban housing development purposes. The dam authorized by Vested Right No. 1983-2 and Water Permit No. 1983A-2, combined, authorize impoundment of 60 acre-feet of water in a dam constructed along a dry draw located in the NW1/4 Section 25 and portion of the E1/2 NE1/4 Section 26; all in T2N, R10E. This Permit does not increase the 0.07 cfs diversion rate from the existing well but will increase the volume of water used on a yearly basis from the well.
2. The water appropriated shall be used for the purpose of maintaining the lake level of the dam and may not exceed the amount of water needed for beneficial use for commercial, suburban housing development, domestic, and recreational purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is February 19, 1991.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. 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.

(continued)

2. No pumping from the well into the lake is authorized when the lake level is within 6 inches of the overflow.
3. The New Underwood Land Partners shall report to the Chief Engineer annually the amount of water withdrawn each year from the Inyan Kara Formation well authorized by Water Permit Nos. 2097-2 and 2165-2.

WATER MANAGEMENT BOARD

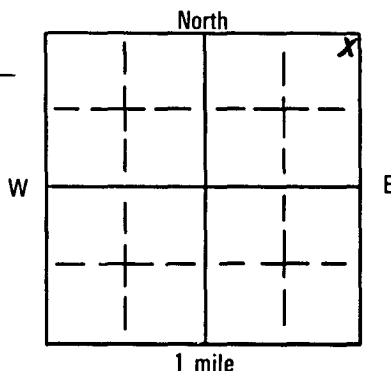
By: John Hatoh
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JUL 23 1991

(date)

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NE 1/4 NE 1/4 Sec 24 Twp 2 N Rg 10 ECounty
PenningtonPlease mark well
location with
an "X"Well Completion Date 6-22-90

PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Mud Rotary

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>15.5</u> LB/FT	<u>5" ID</u> IN	<u>0</u> FT	<u>900</u> FT	<u>7 7/8</u> IN
<u>6.5</u> LB/FT	<u>2 1/2" ID</u> IN	<u>880</u> FT	<u>2868</u> FT	<u>6 1/4 x 4 3/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? T.D. 2868 FEETWhat is grouting material? CementIf cement, number of sacks? 400Describe grouting procedure Pressure groutedWhat was grout weight? 15-16 LB/GALSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 2 1/2" ID IN Length _____ FEET

Material _____

Slot Size _____ Set From 2598 Feet To 2608 Feet } Full RiverSlot Size _____ Set From 2652 Feet To 2662 Feet } LakotaSlot Size _____ Set From 2705 Feet To 2735 Feet }Other information Perforated 1 shot / ftWas a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain chlorinatedBacteriological analysis ☒ YES ☐ NOLaboratory sent to Twin City Testing
to be sub. by Tim Mills (agent)Well Owner: % Tom WatsonName New Underwood Land PartnersAddress New Underwood SD 57761

Well Log:

Depth

Formation	From	To
Pierre shale	0	1250
Niobrara	1250	1670
Greenhorn (limey sh)	1670	1720
Belle Fourche sh	1720	2300
(Newcastle sd "fite"	2300	2322
log Skull Creek	2322	2558
Top Fall River sd & s	2558	2622
ruon shale	2622	2651
Lakota sd str & s	2651	T.D.

STATIC WATER LEVEL 350 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 in? _____

WELL TEST DATA:

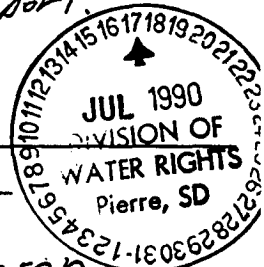
☒ Pumped☐ Bailed☐ OtherDescribe: Air pumped from 580'

Pumping Level Below Land Surface

<u>400</u> ft.	After <u>3</u> Hrs.	pumped <u>55</u> GPM
_____ ft.	After _____ Hrs.	pumped _____ GPM
_____ ft.	After _____ Hrs.	pumped _____ GPM

REMARKS:

A copy of GR-N log
from 2216' - to - 2843'
with perforated intervals
accompany this report.

This well was drilled under license # 511

And this report is true and accurate.

Drilling firm Dennis V. Johnson

Signature of License Representative:

Dennis V. Johnson

Signature of Well Owner:

Tim Mills AgentDate 7/11/90

11-15-90

SUMMARY OF WATER RIGHTS PERMITS

Analogous Permits	Priority Date	Source	Amount/Rate	Use
Bear Butte 933-1	1935	Madison Well, runoff	540 AF annually	Public recreation
Hart Ranch 1877-2	5/14/84	Madison Well	0.16 CFS	Well supplies reservoir for suburban housing, campground, horse arena, and recreational use
Hart Ranch 1911-2	9/27/84	Madison Well	0.88 CFS	Well believed to supply lake for golf course irrigation and rural water supply
Rushmore Water Slide 1880-2	4/19/84	Minnelusa Well	0.17 CFS	Well supplies water slide, pools and facilities for commercial use
Marine Life 1960-2	3/31/86	Sundance Well	.089 CFS	Well supplies reservoir and cistern for commercial use
<u>NULP Permits</u>				
New Underwood Land Partners 1983A-2	8/25/86 1/1/52	Dry Draw Dry Draw	20 AF 40 AF	Suburban housing development, recreational and domestic
New Underwood Land Partners 2097-2	8/16/89	Inyan Kara Well	0.07 CFS	Domestic & suburban housing development
<u>New Underwood Permits</u>				
Town of New Underwood 660-2	3/3/61	Fall River Lakota	.45 CFS	Municipal Well
Town of New Underwood 1947-2	6/3/81	Inyan Kara	1.0 CFS	Municipal Well

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412541

Pierre, February 19, 1991

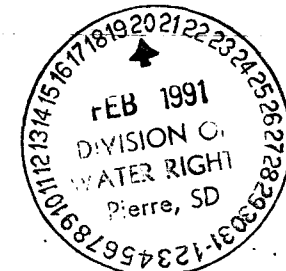
RECEIVED OF Leslie J England, 731 St. Joseph St, Rapid City, SD 57701
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>8165-2</u> 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

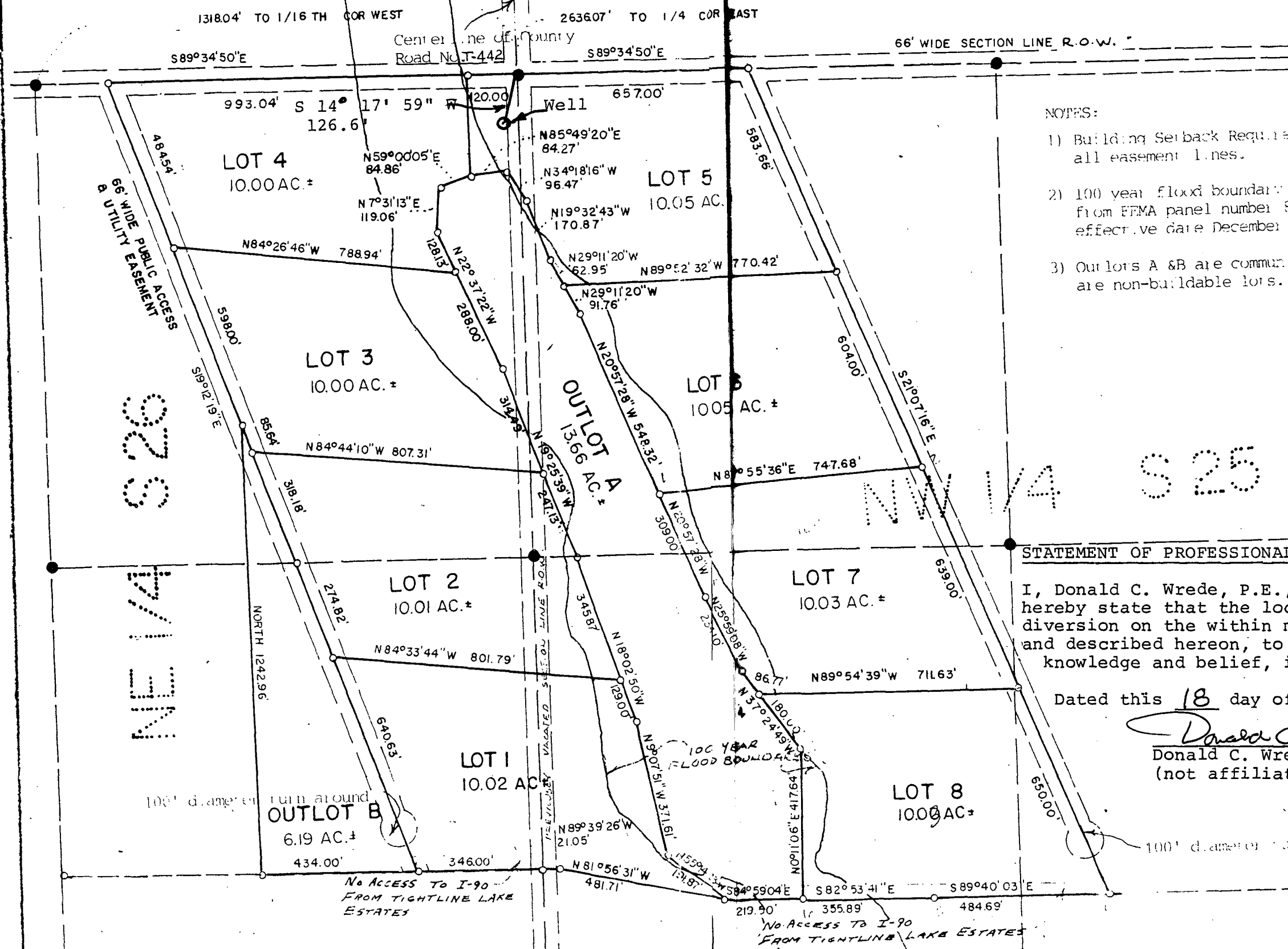
Chief Engineer

John Hatch
gmk



PLAT OF TIGHTLINE LAKE ESTATES

INCLUDING LOTS 1 THRU 8 AND OUTLOTS A AND B OF TIGHTLINE LAKE ESTATES ALL LOCATED IN THE NW 1/4 OF SECTION 25 AND THE NE 1/4 OF SECTION 26, T2N, R10E, B1M, PENNINGTON COUNTY, SOUTH DAKOTA



NOTES:

- 1) Building Setback Requirements- 25' from all easement lines.
- 2) 100 year flood boundary established from FEMA panel number 850 of 2025, effective date December 1, 1981.
- 3) Outlots A & B are community property and are non-buildable lots.

STATEMENT OF PROFESSIONAL ENGINEER

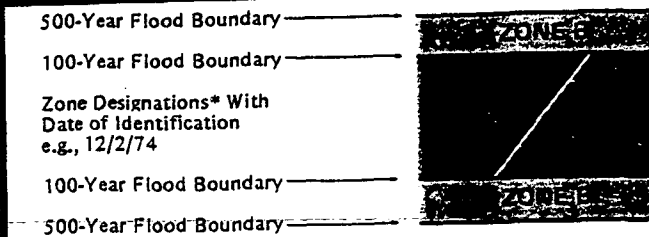
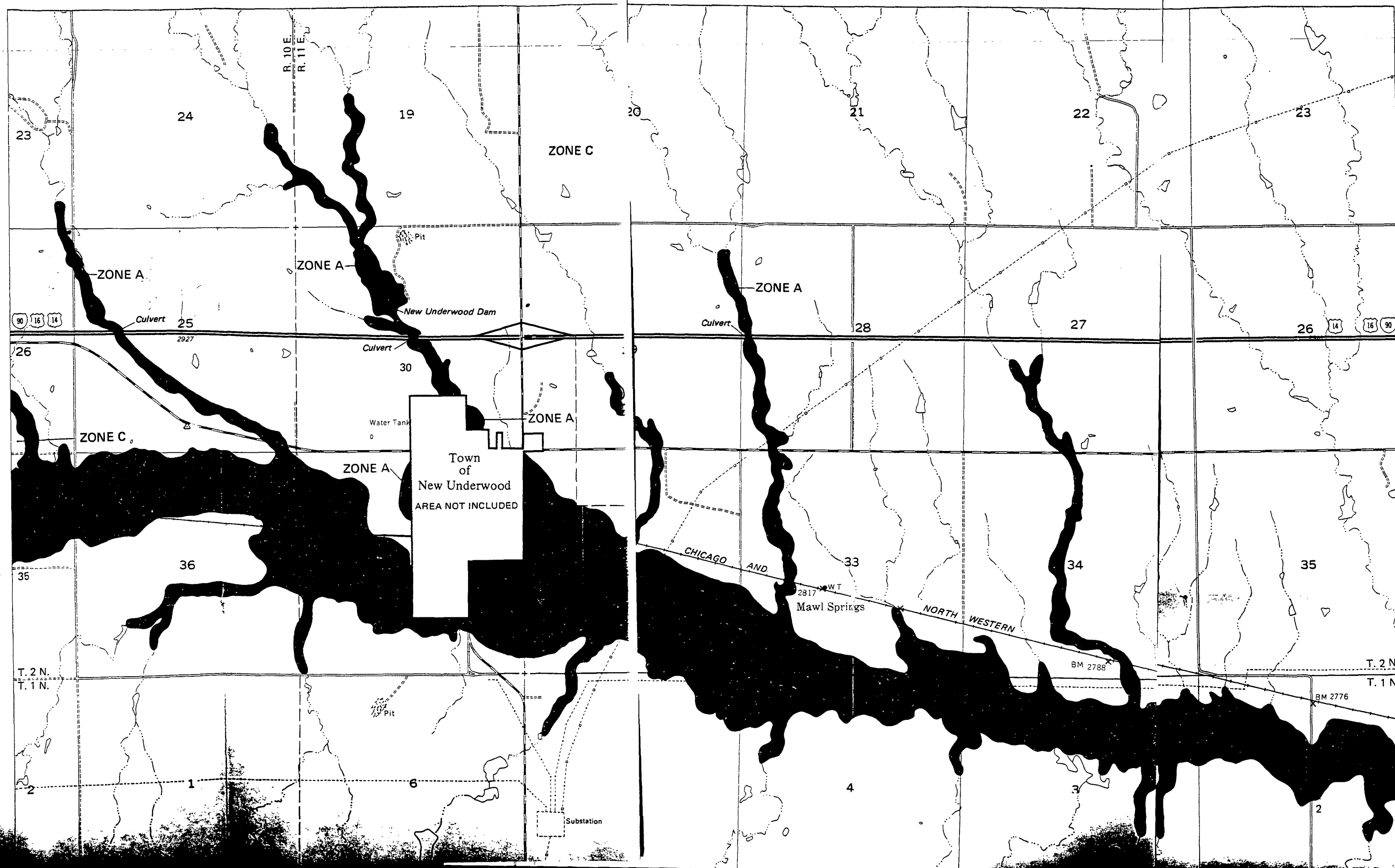
I, Donald C. Wrede, P.E., SD No. 3938, do hereby state that the location of the point of diversion on the within map of land shown and described hereon, to the best of my knowledge and belief, is correctly shown.

Dated this 18 day of February, 1991.

Donald C. Wrede

Donald C. Wrede, P.E. 3938
(not affiliated)

Appl. No.
2165-2



Base Flood Elevation Line
With Elevation In Feet**

Base Flood Elevation in Feet
Where Uniform Within Zone**

Elevation Reference Mark

River Mile

**Referenced to the National Geodetic Vertical Datum of 1929

***EXPLANATION OF ZONE DESIGNATIONS**

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A0	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
A99	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

NOTES TO USER

Certain areas not in the special flood hazard areas (zones A and V) may be protected by flood control structures.

This map is for flood insurance purposes only; it does not necessarily show all areas subject to flooding in the community or all planimetric features outside special flood hazard areas.

For adjoining map panels, see separately printed Index To Map Panels.

INITIAL IDENTIFICATION:
DECEMBER 27, 1974

FLOOD HAZARD BOUNDARY MAP REVISIONS:
MARCH 7, 1978

FLOOD INSURANCE RATE MAP EFFECTIVE:
DECEMBER 1, 1981

A PROFILE OF WATER SKIING IN THE UNITED STATES

The Beginning

Water skiing was invented in the United States in 1922 when Minnesotan Ralph Samuelson built the first pair of skis and was towed on them behind a speeding boat. What Samuelson originated became an exhibition sport on both sides of the Atlantic in the 1920s and early 1930s and developed officially into a competitive sport in 1939 when the American Water Ski Association was organized and the first National Water Ski Championships tournament was held at Jones Beach, Long Island, N.Y.

The American Water Ski Association (AWSA)

The American Water Ski Association is the National Governing Body for organized water skiing in the United States. AWSA is a member of the International Water Ski Federation (the World Governing Body), and a Group C member of the United States Olympic Committee. Affiliated with AWSA as Sport Divisions are the American Barefoot Club, American Kneeboard Association, National Collegiate Water Ski Association and National Show Ski Association. In addition, AWSA has established a National Disabled Skiers' Committee, which represents this special interest to the AWSA Board of Directors.

From the beginning, AWSA has had a dual mission of promoting the growth and development of recreational water skiing, and organizing and governing the sport of competitive water skiing. The largest and most active water ski federation in the world, AWSA has a paid staff of 14 persons. Headquartered in Winter Haven, Florida, the staff serves 24,000 members in five regions across the country. About 10,000 members are involved in tournament competition.

AWSA programs include water ski instructor certification; learn to ski clinics; officials' development; junior skiers' development; legislative coordination and oversight; safety training and information dissemination; development and affiliation of state federations and local water ski clubs, membership and public communications; media information; industry relations; and local, national and international competition ranging from novice to world-class tournaments.

AWSA's communications program includes publication of a seven-times-a-year magazine, the Water Skier, sent to all members and other persons with an interest in the sport, and numerous educational materials addressing all aspects of water skiing.

AWSA trains and maintains performance records for competitive skiers and nearly 3,000 judges, drivers and scorers who officiate at sanctioned tournaments.

Approximately 550 local water ski clubs throughout the United

States are affiliated with AWSA. The clubs provide a working base in almost any locale for development of AWSA programs, and in addition are the local organizers for nearly all water ski competition in the United States.

The Recreational Sport

Throughout its history water skiing has closely paralleled the development of recreational boating in its appeal to the general public. Over the years it has shown almost continuous, sustained growth. Surveys of sports participation show that there are 16.5 million water skiers in the United States, with 1.7 million new participants being attracted each year. Sixty-three percent of the participants are between ages 18 and 34 (second highest percentage of 27 major participation sports surveyed); 60 percent are male.

Water skiing is a family oriented activity and the participants tend to be affluent. Annual household incomes are reported as:

Under \$15,000.....	17.2%
\$15,000-\$24,999.....	21.6%
\$25,000-\$34,999.....	19.4%
\$35,000-\$49,999.....	22.9%
Over \$50,000.....	18.7%

Frequency of participation is reported as:

2 days or less annually.....	14%
3-19 days annually.....	66%
20-plus days annually.....	20%

The Competitive Sport

Interest in competitive water skiing has grown considerably over the years and continues to attract many more enthusiasts each year. AWSA now sanctions more than 600 tournaments each season. These range from small, local events for novices to national and world-class tournaments for more experienced competitors. AWSA offers competition for skiers of all ages and gender in traditional three-event (Tricks, Slalom, Jump), Barefoot, Kneeboard, Show and Disabled tournaments.

International Competition

As a member of the International Water Ski Federation, AWSA selects teams that compete in several world-class tournaments, notably the World Water Ski Championships, World Junior Water Ski Championships, World Cup and World Barefoot Championships. The U.S. Water Ski Team has an unparalleled record, having won every Team Championships since the first World Water Ski Championships in 1949 in France; this includes the most recent, the 1989 World Championships held in West Palm Beach, Fla., where the U.S. Team won its 21st consecutive victory. Junior World Water Ski competition began in 1986 in Italy. No overall team scores were

awarded that year, but the U.S. Junior Team won the overall title awarded in 1988 in Australia and again this year in Milan, Italy, where the four-member team took six of nine Gold Medals, three Silvers and a Bronze. The Senior and Junior U.S. Water Ski Teams will compete in the Pan American Region Championships in Tequesquitengo, Mexico, in late August-early September. The 1990 World Barefoot Water Ski Championships will be held Oct. 9-14 in Jacksonville, Fla.

The Competitive Events

The three events of traditional water skiing are Tricks, Slalom and Jump. In Slalom, the contestant negotiates a zig-zag course of six buoys. The boat speed is increased two mph until a maximum speed for the division of competition is reached. Thereafter the rope is shortened in pre-measured lengths. The winner is the one who rounds the most buoys without a miss or fall. The best skiers do not miss until the rope is shorter than the distance from the boat to the buoy and the skier must try to round the buoy by leaning over it with his or her body!

In Tricks, the contestant performs two, 20-second routines of Tricks that each have an assigned point value. Some of the most difficult Tricks include wake flips, and multiple turns performed with the tow rope attached the contestant's foot.

In Jump, the object is distance. Although there is a maximum boat speed for each age division, the skier can increase his or her speed by "cracking the whip" behind the boat; men jumpers approach speeds of more than 60 mph at the base of the jump ramp. Some men skiers in Open Division competition jump 200 feet or more off a six-foot-high ramp. Women competitors are jumping more than 150 feet using a five-foot-high ramp.

Variations of these same events are performed by Barefoot, Kneeboard and Disabled skiers, except that Kneeboard skiers do not jump from a ramp.

Tournament Sanctioning & Proprietorship

As the National Governing Body for water skiing, AWSA sanctions Traditional, Barefoot, Kneeboard, Collegiate, Show and Disabled skiing tournaments. These include cash-prize events such as the Michelob Dry National Tour and Budget Rent A Car International Tour, the Masters and U.S. Open tournaments.

AWSA is the proprietor of the U.S. Water Ski Team, U.S. Junior Water Ski Team and the U.S. Barefoot Water Ski Team. AWSA is also the proprietor of the U.S. National Water Ski Championships, U.S. Open Water Ski Tournament, U.S. National Barefoot Water Ski Championships, U.S. National Show Ski Championships, U.S. National Kneeboard Championships, U.S. Disabled Water Ski Championships and U.S. National Collegiate Water Ski Championships.

TRADITIONAL COMPETITIVE WATER SKIING

History in the United States

The year 1989 was the 50th anniversary of the American Water Ski Association. Organized competitive water skiing began in 1939 with formation of the association by a small group of enthusiasts living in New York state.

That same year saw the first National Championships Tournament, held at Jones Beach, Long Island, New York. The slalom course at this tournament was a string of pointed buoys set in a straight line. The skier had to ski around each to the end of the course. The Tricks event consisted of a skier removing one ski and holding it over his head, and a side slide or two. The Jump event provided the most excitement. The surface of the jump ramp was made of wooden rollers! Before the event was over, more than one skier wished he hadn't tried going up the treacherous ramp.

With the exception of 1942-1945 (during World War II), the National Championships has occurred every year. Today, more than 600 contestants enter the four-day tournament in 20 divisions of competition.

Age Divisions -- Rating System

There are 20 divisions of competition in traditional skiing, with 18 of them based on age and sex (see list below). The Open Division is divided into men and women with no age requirement.

Jr. Boys and Jr. Girls -- 12 years and under
Boys and Girls -- 13-16 years inclusive
Men I and Women I -- 17-24 years inclusive
Men II and Women II -- 25-34 years inclusive
Men III and Women III -- 35-44 years inclusive
Men IV and Women IV -- 45-54 years inclusive
Men V and Women V -- 55-64 years inclusive
Men VI and Women VI -- 65-74 years inclusive
Men VII and Women VII -- 75 and over
Open Men and Women -- any age

Skiers are rated in each event on the basis of performance that meets or exceeds minimum requirements. AWSA examiners award ratings as: Novice, Third Class, Second Class, First Class, Expert, Master, Exceptional Performance and Open.

Sanctioned tournaments are designated as: Closed (limited to residents with a certain locality or to certain classes or groups of skiers); Open; or Collegiate. All tournaments are further classified as R (Record Capability tournaments in which World or National Records may be set); C (Standard local tournaments in which all ratings other than Open may be earned); I (Local tournaments which for some reason do not meet the requirements of a Class C tournament in which ratings up to and including Expert

may be earned; or N (Novice tournaments primarily for beginning skiers which allow wide variations from the requirements of the other classifications and in which ratings up to and including Expert may be earned. Tournament classifications can be combined. For example, an R tournament can be run in conjunction with a Class C or other. A skier cannot ski in more than one class in the same event in the same round at one tournament.

A PROFILE OF WATER SKIING IN THE WORLD

The International Water Ski Federation (IWSF), headquartered in Montreux, Switzerland, is the world governing body for the organized sport. Sixty-three water ski federations are affiliated with the IWSF. They are subdivided into three hemispheric groups: Group I--Pan American Region, comprised of North, Central and South America; Group II--Europe-Africa Region, comprised of Europe, Africa and the Middle East; and Group III--Austral-Asia Region, comprised of Australia, New Zealand and the Far East.

Water skiing has had a World Championships tournament since 1949, and the U.S. Water Ski Team has won every team title (21 consecutive wins) since the inception of the event. The World Championships, held every two years, alternate with the World Cup. In 1986, the IWSF established two international tournaments to encourage the development of Junior Water Ski Teams within the federations. The World Junior Cup is held on alternate years from the World Junior Championships. The most recent World Junior Championships were held at Melbourne, Australia, in 1988, and Milan, Italy, July 1990. The four-person United States Junior Water Ski Team won the 1988 and 1990 tournaments; team members to the 1990 Championships brought home six of nine Gold Medals in individual events.

The international aspect of the sport is attracting more attention as water skiing moves closer to becoming a participating game in the Olympics.

OKEEHEELEE PARK
PALM BEACH COUNTY, FLORIDA

as a model for the
INLAND LAKE WATER SKI FACILITY
STATE OF MARYLAND

by

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1.0 Introduction

Water skiing, along with the entire boating population, has experienced rapid growth in the past six years as reflected in the increased numbers of registered boaters. The number of recreational skiers in the United States is estimated to be approximately 17 million (Neilson). The surge in interest in skiing has been further demonstrated by the 40% plus increase in membership over the past two years in the American Water Ski Association (AWSA). The AWSA serves as the national governing body to the sport in the United States. These and other statistics have brought new attention to a sport that was founded only 50 years ago.

For those who have followed the sport closely, the recent acceptance of water skiing as a Class C sport by the United States Olympic Committee, and its pending consideration by the International Olympic Committee as a Class A sport for the 1992 Olympic Games, has brought a new level of attention to this boating activity. This rise in popularity has begun to strain the availability of skiable water in many urban areas.

In Maryland, water skiers are experiencing the same difficulties as those attempting to ski in other congested, highly populated areas around the country. A shortage of controlled skiable water, along with competition with both the interests of property owners and other special interest boating groups, has made it very difficult for many skiers to pursue this sport.

There are solutions to these problems. This report details one such approach as taken by the Parks and Recreation Department of Palm Beach County in South Florida. The creation of the Okeeheelee Park,

which encompasses a water ski facility, has not only been a success in helping to alleviate the overcrowded skiing conditions within the bounds of the city of West Palm Beach, but also in helping to promote the county as one concerned with water safety and that supports water related sporting events. This park can be used as a model to successfully serve the best interests of the boater in Maryland as well.

For background information, Appendix J includes a brief description of the three main events of water skiing. These three events, slalom skiing, trick skiing, and ski jumping are considered the traditional events and have gone through a considerable evolution. Several events that are gaining very rapidly in popularity and are not covered are barefooting and kneeboarding.

2.0 The Physical Layout of Okeeheelee Park

Okeeheelee Park is located along the Florida Turnpike on the western edge of West Palm Beach, Palm Beach County, Florida. The entire facility occupies approximately 1.43 square miles (913 acres) of property. The Master Plan can be seen in appendix A, included in the end of this report. Also included, in appendix B, are a number of photographs of Okeeheelee Park.

Okeeheelee Park opened to water skiers in March, 1981. The master plan shows that the complex houses facilities for a multitude of activities in addition to water skiing. These facilities (in various stages of development) include a BMX bicycle course, 4 little league fields, 4 softball fields, 4 general purpose (200 foot x 400 foot) athletic fields, a racquet center (proposed), and 9 lakes (5 designated for water skiing). The lake that is located in the center of the complex is used for wind surfing activities, and around all the lakes are located numerous picnic tables and group picnic shelters, a nature center and nature trails. The lake located along Forest Hill Boulevard just below Clearwater Lake (center) is used primarily for radio controlled boats. On the east side of the complex is an area designated for an outdoor amphitheatre complex. In addition, the complex contains parking facilities, concession stands and restroom facilities. A number of these areas are illuminated, including the auxillary slalom/trick canal for evening operation.

The main water skiing canal is located on the west lake in the southwest portion of the facility (running north-south). For day to day operation this canal is used for slalom and trick skiing. A

slalom course is permanently installed in this canal. This canal measures approximately 2800 feet in length and varies from approximately 240 feet to approximately 320 feet in width. Located on the east side of this canal are bleachers for approximately 1000 spectators. To the north end of this canal are the boat ramp and parking facilities. To the south is the skier staging area and several boat slips. This area can be seen in photographs 2 through 7, 12 and 14.

Along Forest Hill Boulevard is an auxillary slalom and trick canal. This canal is common with the main canal and shares the same staging area. This canal measures approximately 2240 feet in length and varies from approximately 120 feet to 320 feet in width. In this canal, as in the main water skiing canal, is located a permanent slalom course for day to day operation. However, during tournaments this area is used primarily for trick skiing. This is the area where permanent lighting is currently being installed for night operation. Prior to the permanent poles and fixtures, temporary lighting has been in place. This area can be seen in photographs 2, and 6 through 9.

Located on the north side of the west lake is the canal used for trick skiing and jump skiing. Permanently installed in this area is a jump ramp and jump course. On the southeastern shore of this canal adjacent to the Micanopy Pavilion are the skier staging area and several boat slips. This canal measures approximately 2160 feet in length and varies from a minimum of approximately 240 feet to over 500 feet in width. During tournaments the jumping event is held in this area; however, the jump is often moved to the main canal to

utilize the spectator facilities located there. This area can be seen in photographs 10 and 11.

Located to the west of the west lake two more canals are currently under construction. Both of these canals will measure approximately 2250 feet in length and approximately 190 feet in width. They will be used for additional slalom and trick areas. Photograph 17, taken January 20, 1989, is of the slalom area under construction.

3.0 Okeeheelee Park and Water Ski Tournaments

3.1 The History of Ski Club of the Palm Beaches (SCPB)

The Ski Club of the Palm Beaches Inc. (SCPB) was originally organized in 1954 and began sponsoring tournaments in the early '60s. Having been subjected to similar overcrowded and unsafe skiing conditions that we are currently experiencing in the state of Maryland, the organization began talks with Department of Parks and Recreation, Palm Beach County in 1975. As a result, the ski site at Okeeheelee Park opened to skiers in March of 1981. Since that time, SCPB has sponsored an average of five tournaments a year. The first major tournaments sponsored by SCPB were in 1984, the first host for the Professional Water Ski Tour of the 1984 season and the host of the 1984 Southern Regional Championship. Since then SCPB has sponsored the National Championship for three consecutive years, 1986, 1987, and 1988, and the US Open Tournament in 1988. During September of 1989, SCPB will be sponsoring the 1989 World Championship. It is for that purpose that the additional slalom and trick canals are being constructed.

Appendix K contains one of the original agreements between SCPB and Palm Beach County on the formulation of the Master Plan and another agreement for the use of the facility for the 1987 National Championship.

3.2 Economic Impact of Tournaments

The economic impact of a water ski tournament has been positive for the SCPB and Palm Beach County. For example, the professional tournament that was held in 1984 had an estimated 5000 spectators. The event generated revenue for the county by simply drawing a large

number of spectators who spent money on travel, meals and hotel rooms. In addition, the press coverage generated a tremendous amount of favorable exposure for the park. This favorable exposure generated unseen revenue by water skiers who visited Okeeheelee Park during the year.

The local, state, regional, and national tournaments have in every case generated revenue for the sponsor. These tournaments usually have a high number of contestants where competition is offered in divisions, broken down by age and sex. It is not unusual to see an entire family competing in their respective divisions. Again, expenses for meals and lodging are revenue that is brought into the county. In Mark Bozicevics' (President of SCPB) letter to Dennis Eshleman, dated October 30, 1984, (Appendix C), he states, "SCPB estimates that approximately \$930,000 was spent in Palm Beach county by water skiers, primarily in the 1984 summer season."

Several surveys were available that estimated the revenue into the county from the 1987 National Championships. The first survey included in Appendix D is the 1987 National Water Ski Championships participant survey. Several points of interest in this survey are as follows:

- 720 contestants participated
- 260 contestants made 632 other visits to the county that year
- each contestant had 3.14 people in their party and did not include non-related spectators, officials or exhibitors
- average hotel stay was 4.43 nights
- average food/beverage expenditure \$146.54 for the stay

Included in Appendix E is a report on eight events receiving "Discover Palm Beach County" category A funding. The 1987 National Championship was one of these surveyed. Of interest in table 9 is total tourist expenditures for the five-day event: \$1,184,459. When compared to the grant money received, which amounted to \$15,000, the championship brought in \$78.96 per \$1.00 of grant money. The famed PGA golf tour drew \$24.84 per \$1.00 of grant money received.

3.3 Tournament Logistics and Staff Requirements

Running a tournament is a complex process, as is any competition with a large number of competitors or a when large amount of prize money is at stake. Over the years, the process has become well-defined and the actual event management is taken care of by highly qualified and trained officials. In the local and state tournaments the sponsor, usually an organized ski club, has the responsibility to prepare the facility and select the officials to run the tournament. In larger tournaments, ie. regional or national championships, the officials are selected by regional representatives to run the event. The sponsor must submit a "bid," which explains its plan on how the tournament will be organized and what the costs will be. The most desirable bid will then be selected by the regional representatives.

Obviously, the bigger the tournament, the more complex the logistics become. However, the tournament bid must meet AWSA criteria prior to approval. Included in Appendix F is an AWSA tournament sanction application, Appendix G is the Eastern Region Championship bid criteria, Appendix H includes the National Championship bid criteria, and Appendix I includes the World Championship bid criteria. Appendix L includes a copy of the AWSA Official Tournament Rules.

4.0 The Proposed Inland Lake Water Ski Facility

4.1 Water Skier Base in Maryland

As mentioned in section 1.0, water skiing in the United States is big business, attracting some 17 million participants. For the vast majority of casual skiers, the use of uncontrolled bodies of water provide the surface plane for this boating activity. As skiers' level of expertise has risen and the sheer numbers of skiers have increased in densely populated areas, states, counties and local jurisdictions are realizing that controls are required to provide safe and adequate facilities for this special interest group of boaters.

In the state of Maryland, with 167,000 registered boats, 46,200 are powerboats in the 16 to 20 foot range (DNR). Of that, it is conservatively estimated that 50% or 23,100 boats are used on a regular basis (more than 10 times per season) for skiing activities. Since it requires 3 participants to ski, it is estimated that there are 69,000 regular water skiers in the state. Of these, a small handful have pursued the sport and its competitive aspects to a serious degree. This last group of individuals represents a very knowledgeable base of skiers who know and understand both the rewards and dangers involved in skiing and boating. Most of these skiers are members of AWSA, and many belong to the newly formed Maryland State Water Ski Federation (MSWSF). However, many are not affiliated with either AWSA or MSWSF but are associated with an organized water ski club. At present this group, estimated at approximately 480 amateur athletes, are distributed around Maryland and in five clubs as noted as follows:

<u>Ski Club</u>	<u>Location</u>	<u>Membership</u>
SRSC	Annapolis	130
Carpenter's Point	Perryville	50
Upper Chesapeake	Elkton	100
Western Maryland	Oakland	10
Deep Creek Water Sports	Deep Creek	75
Southern Maryland	California	15
Independent	n/a (estimated)	100

Total		480

4.2 The South River Ski Club and How It Compares With SCPB

Currently SRSC is the largest organized water ski club in the state of Maryland. SRSC has been in existence as a sanctioned AWSA Ski Club since 1978 and unofficially since approximately 1968. The SRSC uses public water located on the north end of the South River near the Route 50 bridge. This body of water is somewhat unique in that it is controllable to limited degree on weekdays and till about noon on weekends and holidays. This water, which fluctuates with the tides, also is very hard on the slalom course, jump, and jump course. In addition, vandalism, and careless boaters are responsible for approximately \$100 worth of bouys a month. Despite the problems with the facilities, SRSC has approximately 130 members, and holds an average of four tournaments a year, including the Maryland State Championship. The SRSC boasts nine nationally ranked skiers, despite these adverse conditions, three who placed in the 1988 National Championships.

In 1981, when Okeeheelee Park originally opened, SCPB consisted of approximately 25 members. Prior to this SCPB held 1 to 2 tournaments a year with many of the same problems SRSC encounters. In addition, in 1981 SCPB had no skiers of national caliber. Currently, SCPB has approximately 150 on its membership roll, 20 to 30 are from different regions in Florida or from out of state. They hold an average of five tournaments a year and boast over 30 nationally ranked skiers.

In summary, SRSC with a very poor facility has approximately the same number of members as SCPB today. The Okeeheelee Park facility certainly has helped SCPB in promoting tournaments and improved the quality of its skiers.

4.3 Local and Regional Impact of the Inland Lake Facility

A facility modeled after Okeeheelee Park would serve both the interest of the casual skiers and these serious amateurs in Maryland. For the many casual skiers, the facility would serve as an organized focal point for water skiing activity. To use the facility the casual skier would have to conform to operating procedures that are designed with safety and fairness in mind. Photograph 16 shows the operational policy of Okeeheelee Park as posted at the boat ramp area. The boats used in this facility would be subject to a safety inspection and rules of etiquette will be understood prior to use of the facility. The facility could provide a location where skiing, driving, and safety clinics could be provided. For the serious amateurs, the facility would serve as a venue from which competitive athletic events could be hosted and where controlled conditions for skiing would be available.

The current demand for such a facility on a day to day basis could be anticipated to be as high or higher than what is seen at Okeeheelee Park today. Obviously, there would be several months of the year that the facility would not be used due to our dissimilar climates. However, SRSC is now of the size SCPB was in 1981 when Okeeheelee Park first opened. Presently, on the South River on any given weekend morning, at 7:00 AM there is a 3 hour wait in line for the use of the current facilities.

If such a facility were built in Maryland, it would be the first of its kind in the Eastern Region. The Eastern Region includes VA, MD, WV, PA, NY, NJ, DE, NH, MA, VT, CN, and ME. The Regional Championship is growing to such a size that it is difficult to hold the event on a single lake site. Until last year, there was only one two-lake site in the Eastern Region and that private facility is no longer available. Having a facility the quality of Okeeheelee Park in Maryland would open up a number of possibilities for the state of Maryland. In addition to serving the local skiers, this facility would have potential to bid Regional, National, and World level events as well as attract skiers from not only the state, but from our neighboring states as well.

4.4 Operating Costs and Income of a Water Ski Facility

The operating costs of maintaining the current SRSC facilities amount to approximately \$3000.00 per year. Many of these costs could be minimized if the organization had control of the water. The biggest expense by far is the maintenance of the jump ramp. Due to the inaccessibility of the current South River site, repairs often are put off until they are overdue and expensive. Other costs arise

from maintenance of the club rafts. In an inland facility, these would be unnecessary. Another cost of the operation is for the constant replacement of bouys that are cut out by vandals or careless boaters. In an inland facility, we would obviously eliminate the careless boaters. All of these facility expenses are currently being covered by the dues structure and projects such as Tournaments.

In an inland lake facility there will be operating costs that are not currently being encountered, i.e. maintenance on the facilities, utilities, etc. To perform a detailed cost analysis is beyond the scope of this report. However, based on the experience of the SCPB and the resulting revenues that have been generated, enough has been raised to sustain most operating costs. In addition, they have funded a full time employee in cooperation with the Palm Beach Parks and Recreation Department and the AWSA.

4.5 Tournaments and Event Potential in Maryland

Currently, SRSC sponsors on the average of four AWSA or American Barefoot Club (ABC) sanctioned tournaments a year, either class "C" or "N". AWSA sanctions various levels of competition; class "A" for Natonal or Regional tournaments, class "R" for record capability tournaments, class "C" for local events and class "N" for novice events. The events SRSC sponsors are listed as follows:

<u>Dates</u>	<u>Title</u>	<u>Type</u>	<u>Pulls</u>
June	Annapolis Open	3 Event, 2 Round	120
July	MD State Championship	3 Event, 2 Round	120
August	Barefoot Blast	2 Event, 2 Round	50
September	Fall Novice	3 Event, 1 Round	50

These tournaments are limited in size and type primarily due to the facilities currently available to the SRSC. Sponsoring a tournament on the South River requires a great deal of initiative and planning since there is no land adjacent to the South River facilities.

Having a facility similar to Okeeheelee would open up a number of opportunities. Initially, the class of the tournaments could be upgraded to class "R" with a minimum of effort. The quality of the facility satisfies the major requirement in upgrading to an "R" tournament. Since only a handful of sites in the country can qualify and have the manpower to run a "record capability" tournament, a higher caliber of skier would be attracted to such a tournament. In addition, the inland site would become a permanent facility for the Maryland State Championship. As a site for holding the Eastern Regional Championship, Maryland is ideally situated. The 1988 Eastern Regional Championship had 220 competitors, many competing in all three events. An inland lake facility in Maryland would be a facility that could accomodate such an event and in fact would attract more skiers because of the close proximity to other major attractions.

The National Championship is the largest water ski tournament in the world. The Nationals boasts over 800 competators and requires a minimum of three lakes to run. The Nationials has been held at Okeeheelee Park in August of 1986, 1987, and 1988. A facility such as being proposed could potentially the sponsorship of such an event. In addition other potential events are listed as follows:

- 1) World Championship
- 2) US Team Trials

- 3) Professional (Cash Prize) Tournaments
- 4) AWSA Boat Certification Tests
- 5) Skiers, judges, scorers, drivers, and safety clinics
- 6) Technical controller clinics
- 7) Misc. meetings ie. SRSC, Eastern Region Winter Meeting, Board of Directors, etc
- 8) Similar events that pertain to the American Barefoot Club (ABC) and the American Kneeboard Association (AKA)

The following page is a listing of the AWSA national championship events which include some interesting particulars.

AWSA ANNUAL NATIONAL CHAMPIONSHIP EVENTS

EVENT	PARTIC.	SPECTATORS	# DAYS	DATE	SITES	\$	TV
NATIONALS	650	10,000	5	Aug.	2-3	\$200,000	Yes
U. S. OPEN	50	25,000	2	Aug.	1-2	\$250,000	Yes
BAREFOOT	125	5,000	5	Aug.	1-2	\$ 25,000	Yes
SNOW	1,000	20,000	2	Aug.	1	\$ 60,000	Yes
COLLEGIATE	300	3,000	3	Oct.	1-2	\$ 20,000	No
KNEEBOARD	100	2,000	3	Aug.	1	\$ 10,000	No
COLLEGE ALL STARS	80	2,000	2	May	1	\$ 10,000	No
WORLD CUP	50	10,000	3	July	1	\$125,000	Yes
WORLD CHAMPIONSHIPS	200	35,000	5	Sept.	1-2	\$500,000	Yes

4.6 Physical Requirements

The physical requirements for a ski site such the one developed in West Palm Beach can be detailed as the actual lakes and surrounding amenities.

Lakes

Each lake should be a minimum of 2200 feet in length and 230 feet in width. In the lake determined to be used for jumping, a width of 300 feet is required for a distance of 400 feet in the area of the jump. Each lake should have a skier staging area (starting dock) and slips for at least 6 boats. The boat ramp for each body of water need only be large enough to accommodate one boat at a time. There should also be loading pier and several slips.

Judging Facilities

For each lake there must be 7 judges towers and one central judges facility. Each tower must be at least 15 ft above the surface of the water and be capable of seating two adults. The central facility should be large enough for seating 8 to 10 adults with several desks. The lake designated for the jump must have 3 meter stands for metering the jump distances. These towers and facilities should be wired for interfacility phone communications.

Storage Facilities

Some provision for equipment storage and repair should be provided. A storage shed the size of a one or two car garage would be more than adequate. Additionally, boat storage facilities would be an asset and could be a source of revenue for the facility. This sort of storage could be as simple as a chain link fence cubicle for each boat.

Administration, Parking, Concession and Restroom Facilities

These facilities would be site-dependent and fully defined after the site selection had been made for the proposed site.

Location

The ideal location for this project would be in Prince George's or Anne Arundel County in order to be within close proximity to the majority of the South River Ski Club members. In addition, it would be desirable to be near adequate motel/hotel accommodations in the event that major events were sponsored. The Davidsonville area would be ideal for this project.

Future Expansion

The design of this facility should be able to accommodate future expansion. As was seen at Okechee Park, the demand outgrew the facilities and two more lakes are currently under construction. With the potential that the Baltimore-Washington, Annapolis corridor has to offer, it can be anticipated that after several years a similar problem will occur here also.

5.0 Conclusions and Recommendations

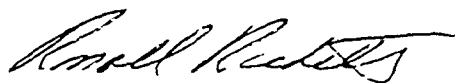
This report details a positive solution to a growing problem within our boating/skiing community. The experience in West Palm Beach has demonstrated its feasibility and parallels have been drawn between the two areas. The concept is a viable way to solve a problem that has even recently been reported in the Evening Capital as skiers struggle to find quality places to pursue their sport. With the rise in popularity of this sport and inevitable Olympic involvement, it is time to take advantage of the West Palm Beach experience and move ahead here in Maryland.

This concept is an ambitious one that requires foresight into the future. Those who believed in it in West Palm Beach worked for 6 years to see it materialize. The time is propitious to develop a facility that could rival the one in South Florida.

Respectfully submitted,



Thomas C. Boddorff
AWSA Council Representative
Maryland State Water Ski Federation



Ronald Ricketts
International Activities Committee
American Water Ski Association

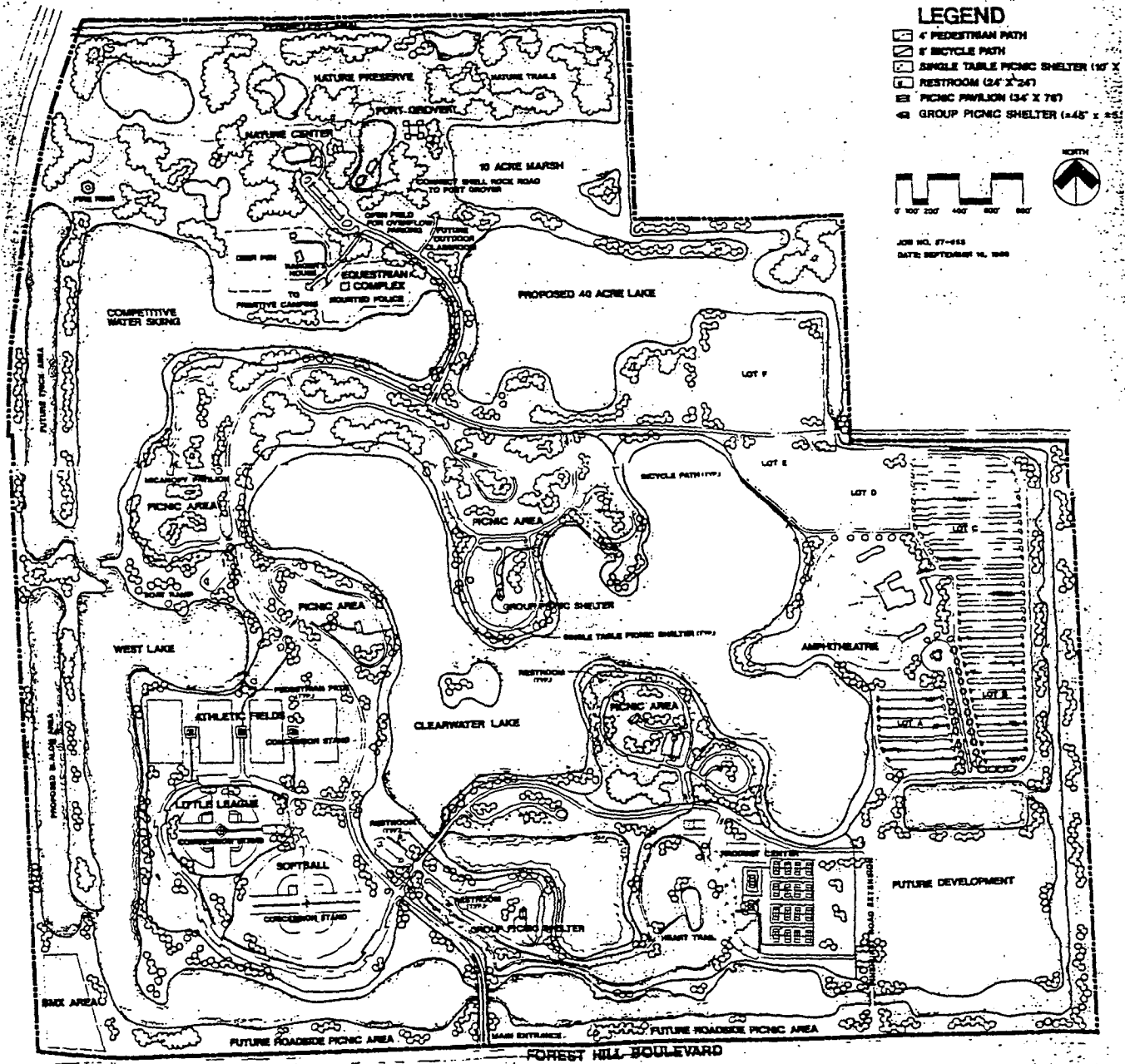
Appendix A

Okeeheelee Park, Master Plan

OKEEHEELEE PARK

PALM BEACH COUNTY, FLORIDA

MASTER PLAN



TOURNAMENT WATER SKIING PRACTICE ON LAKE BERRYESSA

Tournament water skiing is rapidly becoming a very popular sport which demands control of all related elements of its environment. Tow boats (tournament type) which are designed for tracking stability, constant pulling power at skiing speeds, and muffled noise reduction are rapidly becoming a common site upon Lake Berryessa. The uniform conditions established by tournament tow boats, timed speed monitoring, and a constant boat and skier's path leave water conditions as the remaining element of control. Additional practice sites are being proposed for reasons of present overcrowding. Three types of sites are conceived to balance the tournament needs of this lake. They include a "GENERAL PUBLIC SITE", a "SKI SCHOOL", and the addition of "SERIOUS SITES" for those who practice often and regularly attend tournaments.

Tournament water skiing includes slalom, trick, jump, barefoot, and show skiing. Family participation is encouraged. Each of these events demands controlled conditions to accommodate optimum performances and safety. Skiers do not always follow the tow boat path, thus creating speeds that sometimes approach twice the speed of the boat. Because of the American Water Skiers Association's dedication to study, refine, and organize tournament guidelines, tournament safety records have reduced insurance premiums. Tournaments measure skills as compared to others and to oneself. Improved performances are accomplished by instruction, controlled conditions, and practice (practice, practice).

Lake Berryessa presently hosts two separate tournament skiing areas. The "GENERAL PUBLIC SITE" belongs to the Monticello Ski Club. Their facilities are located in Skiers Cove. This area is maintained with the cooperation and purchase of an annual permit from the U.S. Bureau of Reclamation. The general public is welcome providing they purchase an annual use permit to offset expenses and observe conditions followed by club members. Presently, 100 club memberships represent approximately 200 possible tournament skiers. This number plus an additional 100 or more annual permit users represents in excess of 300 users. A normal slalom practice usage is three turns per day at fifteen minutes per turn. Thus, eleven skiers use an eight hour day. One complete rotation of all club members and permit holders would require thirty days or fifteen weekends. The necessity to expand is self evident.

Another "SKI SCHOOL" tournament site is located within the concession area of Steele Park Resort. This Water Ski School attracts beginners through world-class skiers from many countries. Because of safety, instruction expenses, and being in a concession area, this site is isolated during the summer months. Willi Ellermeier's "WORLD CLASS WATER SKI CENTER" has developed many skier's skills through accelerated instruction and safety under controlled conditions.

The "SERIOUS SITE" would include those users of dedication who practice frequently for tournaments. This class of skier regularly trains with great mental and physical intensity which demands limited rest periods. Long waits produce a loss of concentration, a loss of physical flow (either a tension increase or a loss of concentration), and a great loss of time. These sites would be limited as to the number of users. Also, these sites would have two well marked obstructions locked in strategic locations. These obstructions would only prevent a non-participating skier's tow rope from passing. They would not obstruct other area users. In so doing, maintenance efforts would be significantly reduced and be borne by those who use it. Curtious and proper communication must be maintained.

Public communication and awareness is essential in preserving the multiple use concept of a tournament practice site use area. An area display briefly showing the site location in relation to concession areas, public telephones, restrooms, houseboat accomodations, eating locations, and an area use description is necessary. This could save much needed time in case of an emergency! The general public users lack of club affiliation and obligations (physical and public communication awareness) and tournament tow boat possession (which leads the public to assume club affiliation) sometimes creates public friction toward the club. Some of these users tend to "POSSESS THE ENTIRE AREA" without pleasantly informing others of the surrounding area available to fishermen, to anchor a houseboat, to lay back and observe the tournament action, or to pass to another area. An area use display at each site, backed by informative pamphlets, a pleasant presentation, and a personal explanation would create optimum relations.

The physical characteristics of a tournament site describe a cove of at least 200 feet in width and 2200 feet long with a minimum depth of 4 feet. This would allow only one traffic entrance to insure public communication and safety, and land boundaries to maintain smooth water conditions. Coves of this nature are often designated "NO WAKE" areas because of a lack of safe boat operation in a confined area, but are often safe for one skier at a time (CONTROLLED WATER SKIING).

Another physical characteristic which enhances use and spectator appeal is access by road. This enables ride sharing which engenders friendships, an exchange of knowledge, and many learning experiences. Also, the wife and children are not compelled to be a driver or observer. Skiers are allowed to participate without the financial burden of owning a boat. Road accessibility is a standard practice in Europe due to prohibitive fuel and tow boat expenses. Most tow boats there are club sponsored. Spectators often pause to watch or become part of this activity.

A common promotional practice is for boat manufactures to offer their product at a reduced rate in exchange for public exposure. These promotional boats are often used at roadside practice sites and tournaments to expose their products. Lake Berryessa has many of these promotional boats. The Monticello Ski Club does use these boats for their public tournaments.

Environmentally, the entire area has been classified as a recreational area. The present coves being used for controlled water skiing sites are very good fishing spots. Fishing is encouraged in Skiers Cove surrounding the boat and skiers paths. The tow boat propellor action aerates the protected water and attracts fish to an otherwise stagnate condition. Horton Lakes Water Ski School stocked their lakes with catfish and rapidly produced thriving success. Willi Ellermeier's World Class Water Ski Center concession area is not used for skiing during the winter months and remains open to fishing. In Skiers Cove specifically, a mountain lion roamed from '75 to '81, one or more Herons is nearly always present, ducks bob with skier balls (decoys) in the winter months, and deer are seen along the shoreline year around. If you're worried about this environment, do not promote adjacent deer hunting, fishing, killing mountain lions, wood burning fireplaces, cutting small shoreline trees to anchor in the cove for fishing attractions, and the eyesore "PLEASE DO NOT LITTER" signs. Better yet, lets allow controlled conditions which promote a sharing of individual interests to the best of our ability, with the flexibility to continually refine participation to conform to Darwin's Theory of Evolution.

Public outcries and subsequent investigations have uniformly supported the extended development of Lake Berryessa's resources. The following information was obtained from the "Congressional Record", August 17, 1972:

Lake Berryessa National Recreation Act.

(co-sponsored by Representative John Tunney and Senator Alan Cranston)

"Yet even though this Federal lake has been in existence since the mid-1950's, its full recreational potential has never been developed. In a time of increasing public demands for quality recreation, I think it is imperative that Congress investigate this unfulfilled potential and attempt to remedy the problem."

Given this opportunity, it is now time to fulfill Lake Berryessa's full recreational potential. The areas chosen at this time include Little Portuguese and Portuguese coves. A "roadside" site could possibly be conceived in the SPECIAL USE area of the Oak Shores vicinity and a future site acquisition policy must be planned.

Alan Wachter
214 Jasmine Court
Napa, Ca 94558

707/966-2233

FACTORS INFLUENCING THE CHOOSING OF SERIOUS TOURNAMENT SITE PARTICIPANTS

- 1) 'Must' demonstrate interest, enthusiasm and a will to become a participant without solicitation.
- 2) Being a Serious, Active and Progressive Tournament Site User.
- 3) Amount of past participation in Tournament Water Skiing.
 - a) Club officer
 - b) Fund raising involvement
 - c) Maintenance work
 - d) Judge
 - e) Boat driver
- 4) Compatability - must have demonstrated the ability to:
 - a) Share equally
 - b) Be considerate
 - c) Assess situations with logical discretion
 - d) Accept and follow rules
 - e) Actively support accepted rules
 - f) Promptly fulfill financial obligations

FORMING A COOPERATIVE TOURNAMENT WATER SKIING GROUP

You are being considered a prospective participant as a serious tournament site user at Lake Berryessa. To further establish the possibility of your participation, you must respond with a willingness to financially and physically (work!) support the site, and to accept some ground rules. These ground rules will be further refined and subsequently ordained by the site participants. The following rules are only tentative.

- 1) If any of the facilities are twice left unlocked while unattended by the same participant, the participant shall lose their site use privilege.
- 2) Overdue financial obligations will result in permanent loss of site usage.
- 3) An overdue certificate of insurance for \$300,000 PL/PD will result in permanent loss of site usage.
- 4) Compatibility:
 - a) Acceptance by all participants will be required to acknowledge the acquisition of an additional participant.
 - b) Agreement by all participants will be required to acknowledge the expulsion of a participant for any reason.
- 5) Reimbursement of monies paid by a participant will be due two months after request by a voluntarily leaving or expelled participant.
- 6) More than one participant may use a common boat.
- 7) Participant's children:
 - a) Each child eighteen years or older, who is not reportable on their parents' income tax returns must either be considered a guest or become a participant.
 - b) The child shall be given the first opportunity to become a participant.
 - c) The child will be subject to the compatibility acceptance rule.
- 8) Formation of this group will remain a non-profit entity.
- 9) Only those boats which name the regulatory body as having an interest in their insurance policy will be allowed to use the tournament facilities.

GENERAL RULES

SERIOUS TOURNAMENT WATER SKIING PARTICIPANTS

- 1) Compatibility:
 - a) Acceptance by all participants will be required to acknowledge the acquisition of an additional participant;
 - b) Agreement by a majority of the participants will be required to acknowledge the expulsion of a participant.
- 2) Reimbursement:
 - a) Money paid by a participant, less permit fee portions, will be returned within two months after written request by a voluntarily leaving or expelled participant;
 - b) Will be accomplished by having each participant contribute equally or by accepting another participant.
- 3) Permanent Expulsion:
 - a) If any of the accepted general or site rules are disregarded;
 - b) If any actions are performed which are not in the best interest of the intentions of this entity;
 - c) If any financial obligations become overdue;
 - d) If any of the site facilities are left unlocked;
 - e) If an equal share of the workload is not maintained.
- 4) Tow Boats:
 - a) Must be 'tournament approved';
 - b) Must be insured for \$300,000 PL/PD;
 - c) Must name the regulatory body as an interested party on its certificate of insurance to be notified upon expiration or cancellation of coverage.
- 5) This entity will remain non-profit.
- 6) Only a participant will be allowed to unlock or lock the site facilities.
- 7) Participant:
 - a) An accepted individual;
 - b) Participant's mate and children which are tax deductible. (Note: discretion will be used to shelter common law situations, but the liaison must be aware of the situation).
- 8) Participants may use a common boat.
- 9) Family Consideration:
 - a) Participant's children, who are no longer reportable on their parent's income tax returns must either be considered a guest or become a participant;
 - b) The child shall be given first opportunity to become a participant;
 - c) The child shall be subject to the compatibility acceptance rule.
- 10) Rule Alterations:
 - a) Subject to approval by the regulatory body;
 - b) Approval will be based on a majority of the written returned votes;
 - c) Votes must be returned within one month of the time mailed.

SERIOUS TOURNAMENT SITE RULES

- 1) Only accepted participants may unlock site facilities.
- 2) Participants must remain at the site while the facilities are unlocked.
- 3) Only those tow boats which name the regulatory body as an interested party on their insurance policies may use the facilities.
- 4) Guests may take the turn of their host participant.
- 5) 'All' federal, state and local regulations concerning safe boating operation must be strictly enforced:
 - a) Skiing to take place only from sunrise to sunset;
 - b) Each tow boat pulling a skier must contain a driver and an observer.
- 6) If a conflict arises, the serious tournament participant must secure the facilities until such threat passes.
- 7) 'Area Pamphlets':
 - a) Must be carried in tow boats;
 - b) Must be presented to an impending boat operator;
 - c) A 'no-fault' disposition and tactful verbal communication must transpire during pamphlet presentation.
- 8) Boats are allowed to use the same tie up area while using the facilities.
- 9) It is 'RECOMMENDED' that:
 - a) Skiers use sign up after four skiers are present;
 - b) Emphasis is placed on each skier having an equal number of turns;
 - c) One turn = 6 slalom passes or 15 minutes of tricking, barefooting, or show skiing maneuvers (Please note a turn begins when previous skier returns;
 - d) Dogs are not allowed on the dock.

NATIONAL STANDARDIZATION OF TOURNAMENT WATER SKI SITES
ON PUBLIC WATERWAYS

- 1) Standardize physical characteristics of site selection.
 - A) A cove area large enough to accomodate a slalom course.
 - B) An area too confined for recreational water skiing.
 - C) Cooperatively share area with other non-skiing users.
- 2) Standardize communication by way of a uniform marker system.
 - A) 'Controlled Area - No Wake' markers.
 - B) Log barrier with large entrance.
 - C) Entrance sign.
 - 1) Area use description.
 - 2) Location of nearest gas, food, and phone.
 - 3) Emergency information.
- 3) Standardize acceptance procedures of new sites by Regulatory Bodies.
- 4) Differentiate between general public and 'serious' sites.
 - A) General Public Sites
 - 1) Club or Regulatory Body sponsored.
 - 2) For developing the novice tournament skier.
 - 3) For promoting tournaments.
 - B) 'Serious' sites
 - 1) All development, maintenance, and expenses to be equally distributed by all participants.
 - 2) Elimination of non-essentials
 - a) Meetings
 - b) Officers (except Regulatory Body Liaison)
 - c) State and Federal Income Tax Reports
 - d) Overlapping insurance policies
 - 3) Minimize maintenance by having 'only' participants use 'serious' sites.
 - 4) 'Backup' safety and communication by way of an area usage pamphlet presentation.
- 5) Having more sites should decrease fuel consumption to nearest site.

AREA USE OF THE TOURNAMENT SITE

ISLAND ENTRANCE

LOGS

---DOCK

---SKIERS
PATH

---JUMP

BOAT PATH

ISLAND

NOTICE! USE THIS AREA AT YOUR OWN RISK

ALL AREA USERS

Please note! This is a no wake area unless you're using the facilities. All cables are underwater far enough so you can drive your boat anywhere in the ski area. Each individual is responsible for the policing of litter along the shoreline so please help keep the site clean as well as the rest of the lake so everyone can enjoy it.

GENERAL SITE USAGE

Use of the Monticello Ski Club's (MSC) facilities located in Skiers Cove are open to MSC members and to the general public with the purchase of an individual Use Permit. Use Permits are available at Spanish Flat Resort Marina (gas dock). Renewal of club membership and Permits is March 1. For more information call Hilton at 707/224-6170. The following rules will enable the skiers path to remain smooth and the course will not be damaged. Please observe posted site rules.

SLALOM COURSE USE

Use the boat path for driving the course so your boat wake does not rough the water for your skiers next pass. Boat drivers should always watch the course while driving through so not to run over a boat guide. If your skier falls in the course, stop the boat going straight, idle in your turn and then accelerate to return to your skier. Pull your skier out of the water in the boat path. Always watch your ski line so it doesn't catch a bouy.

USING THE JUMP

The jump will be kept locked when not in use. If you care to use it, contact a MSC member. The club will be happy to show you how to use the Ski Jump, providing you have the correct equipment. Also, please provide regular gas and #30 oil for the jump motor. Contact the club at the club meeting area at Rancho Monticello Resort, or inquire at the site for helpful members.

AREA MAINTENANCE

Please leave the area as you found it. If maintenance is required, ask a member for help. Spare parts are kept at the site. Attempting repairs without proper instruction may result in further damage. This is a no-fault policy. Some wear is expected!

THANK YOU

SIGN UP AND USE OF MONTICELLO SKI CLUB'S FACILITIES

Use of the Monticello Ski Club's (MSC) facilities located in Skiers Cove are open to MSC members and to the general public with the purchase of an individual Use Permit. Use Permits are available at Spanish Flat Resort Marina (gas dock). Renewal of club membership and Permits is March 1. For more information call Hilton at 707/224-6170. Please note: This is a no wake area unless you're using the facilities.

SITE RULES

1. Skier rotation: Emphasis is placed on each skier having an equal opportunity as to their number of turns. A paid up MSC membership card or permit must be inserted on the sign up board for each user. Usage is on a first come-first serve basis. Slip your card into the first opening after the last card posted on the sign up board. This will determine your skiing order. After your turn, remove your card and if another turn is desired, re-insert your card after the last card posted. Please note: In the interest of maximum usage, it may be beneficial to leave a space for another tow boat to allow for preparation of a passenger or driver, or for the exchange of equipment.
2. One turn = 6 slalom passes (3 circuits), 4 jumps, 2 trick circuits, 2 barefoot passes, or 15 minutes maximum.
3. Begin and end each turn from the starting dock.
4. No trading turns.
5. If you miss your turn, you must re-sign up.
6. If a signed up skier no longer wishes to use the facilities the space created on the sign up board must remain unused.
7. SITE RULE violation will result in confiscation of a use permit or MSC card by any user. This action suspends site use privileges until the following March 1st. Please report to MSC, 2311 Edgewater Drive, Napa 94558
8. Repeated SITE RULE violation will result in permanent loss of site use.
9. Willfully allowing anyone to violate these SITE RULES results in a loss of site usage.
10. Dogs are not allowed on the docks!
11. Please inform others in your boat or skier's path or close to the skier's spray of a safer position. This should be accomplished by stopping your boat and addressing them at a close range, thus avoiding the "Hollering Effect".
12. Users are entitled to maintain the same dock space during the day while skiers cove facilities are being used. This will prevent relocation of tie offs and gear.
13. Skiing is permissible only between sunrise and sunset.
14. Ski at your own risk!
15. Please take your trash with you.

COMMON QUESTIONS AND ANSWERS

1. What gives the MSC the exclusive right to ski in Skiers Cove? It is secured by an annual permit from the US Bureau of Reclamation.
2. Why was this site chosen? Skiers Cove is unsafe for more than one skier at a time, therefore, it is used as a "Controlled Ski Area".
3. Why is the use permit fee required? To recover maintenance, insurance, and permit disbursements.
4. Since Lake Berryessa is a public lake, how can we charge the public? Because the facilities are owned and maintained by the MSC via a permit issued by the US Bureau of Reclamation.
5. What if you lose or forget your permit or MSC membership card? No card-no ski! Purchase another permit.

THE MONTICELLO SKI CLUB IS A NON-PROFIT ORGANIZATION
FOR THE PURPOSE OF PROMOTING WATER SKIING

-HISTORY-
MSC

The Water Skiers of Marin County initially set up a slalom course next to the Big Island on Lake Berryessa. This site was acquired by the MSC. They built a water ski jump which was located at Rancho Monticello Resort. Eventually, another jump was built. In '75, Skiers Cove became the new site for the MSC's metric slalom course, jump ramp, and dock (old jump ramp).

Some of the MSC's past 'Tournament Site' related events:

1. May '77 - Bureau's (Mr. Robert Wier) ultimatum to remove all traces of the MSC's slalom course and jump by June 8. (Due to low water conditions.)
2. May '77 - Congressman Leo Ryan toured the MSC's tournament site.
3. June '77 - Bureau reconsidered facility removal. (Accepting the MSC's solution of moving the facilities 1000' northerly.)
4. JULY '77 - MSC member, Harold Shelly, attempted approval by the Napa County Board of Supervisors to install a slalom course up Putah Creek.
5. Sept '77 - Bureau Representative, Robert Wier, was transferred.
6. April '78 - Bob Semmens became the new Lake Berryessa Bureau Representative (formerly Lake Shasta's Bureau Representative).
7. June '78 - MSC's treasury balance = \$100.
8. July '79 - Began charging associate membership fees for non-member site usage to recover site expenditures.
9. March '80 - Installed 2nd slalom course in Skier's Cove.
10. July '80 - Removed second slalom course. (Due to encroachment upon recreational skiing; and to a Federal Bureau/Napa County Boat Patrol conflict of authority- thus creating an unsafe site.)
11. August '80 - Requested an alternate (additional) site in the Oak Shores area.
12. June '81 - Oak Shores site refused. Reason-"SPECIAL USE" area for canoes and rafts!
13. Sept '82 - Ski Show at Steele Park to promote the MSC in the hope of acquiring an alternate 'Tournament' site.

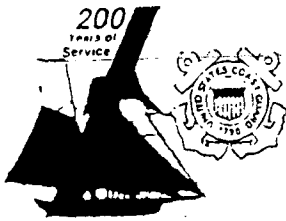
MONTICELLO SKI CLUB SCHEDULE 1987

MAY 24 SUN	7:00 PM	MEETING & PASTA POTLUCK
JUN 13 SAT	*10:00 AM	NOVICE SLALOM
JUN 13 SAT	7:00 PM	MEETING & MEXICAN POTLUCK
JUN 20 SAT	10:00 AM	GOLF TOURNAMENT, AETNA SPRINGS
JUN 27 SAT	10:00 AM	VOLLEYBALL
JUL 4 SAT	11:00 AM	FAMILY PICNIC AT OAK SHORES
JUL 5 SUN	10:00 AM	DOUBLE ELIMINATION VOLLYBALL
JUL 11 SAT	*10:00 AM	SLALOM AND TRICKS
JUL 11 SAT	7:00 PM	MEETING & CHILI & BEAN COOKOUT
JUL 25 SAT	* 9:00 AM	RELAY RACE
JUL 26 SUN	* 6:30 AM	BAREFOOT & PANCAKE FEED
AUG 8 SAT	*10:00 AM	SLALOM & TRICKS
AUG 8 SAT	7:00 PM	MEETING AND ITALIAN POTLUCK
AUG 22 SAT		FLEE MARKET
AUG 22 SAT	8:00 PM	BINGO
AUG 23 SUN	* 6:30 AM	BAREFOOT & PANCAKE BREAKFAST
SEP 5 SAT	10:00 AM	VOLLEYBALL
SEP 6 SUN	* 9:00 AM	TREASURE HUNT
SEP 6 SUN	7:00 PM	SPAGHETTI POTLUCK
SEP 6 SUN	8:00 PM	BIG "31" NIGHT
SEP 12 SAT	*10:00 AM	SLALOM AND TRICKS
SEP 12 SAT	7:00 PM	CLUB MEETING
TBA		ABALONE DIVE

* EVENTS COUNT TOWARD SCORING FOR CLUB PERPETUAL TROPHY

"BOATING STATISTICS 1988"

Published June 1989 by the
US Dept. of Transportation,
US Coast Guard
Publication COMIDTPUB P16754.1



OPERATION AT TIME OF ACCIDENTS

1988

	VESSELS INVOLVED	FATALITIES
TOTALS	8,981	946
Cruising	4,431	371
Cruising, fishing	281	4
Cruising, hunting	0	0
Cruising, sailing	11	3
Maneuvering	549	22
Maneuvering, docking	174	1
Maneuvering, leaving dock	108	0
Maneuvering, mooring	2	0
Maneuvering, for towing	0	0
Waterskiing	769	24
Waterskiing, maneuvering with skier down	1	1
Racing	64	8
Towing	62	2
Being Towed	46	2
Drifting	610	146
Drifting, fishing	227	178
Drifting, hunting	7	8
Drifting, diving or swimming	1	0
Drifting, fueling	3	0
At anchor	369	40
At anchor, fishing	68	11
At anchor, hunting	0	0
At anchor, diving or swimming	4	0
At anchor, fueling	19	0
Tied to dock	778	11
Tied to dock, fueling	29	0
Other	255	12
Unknown	113	102

How Safe Is Water Skiing?

What are your chances of being injured? Can water skiing be compared with other sports? Who's at fault in most water skiing accidents?

By Bruce Hister
Assistant Executive Director
American Water Ski Association

Each summer there are news accounts of people who are seriously injured or killed in water skiing accidents. Non skiers who read these stories often view water skiing as a high risk activity and a threat to public safety on the waterways. As a consequence, skiers everywhere are facing unprecedented efforts to limit their sport. Yet the millions of Americans who enjoy water skiing each year (17,514,000 Nielsen Survey, 1982) obviously do not think that

they are risking their lives each time they yell "Hit it!" Skiers from age seven to seventy seldom suffer more than sore muscles and stuffy sinuses. What's going on here? Just how safe is water skiing?

U.S. Coast Guard boating accident statistics show that from 1977 through 1981 there were 3,754 boats involved in water skiing accidents. These resulted in 2,269 injuries requiring medical treatment beyond first aid, and 222 fatalities.

ties. This is an average 450 injuries and 45 deaths each year. This may seem like a lot but when the number of people who water ski is taken into consideration, the accident rate is actually quite low.

To illustrate, in 1980 there were 467 injuries and 39 deaths from water skiing accidents, according to the Coast Guard. Based on this information, and a conservative estimate of 15 million water skiers that year, only one out of every 32,120 skiers received an injury of any consequence, and only one out of every 394,615 skiers was killed. This works out to a death rate of 3.8 per 100,000 skiers as compared to a 24 per 100,000 motor vehicle death rate, and a 48.4 per 100,000 death rate for accidents of all types (1978 figures from the National Center for Health Statistics).

Comparing injury and death statistics for water skiing to those of other sports is difficult. The National Safety Council says, "... comparisons between sports are incomplete because fatality and nonfatal injury frequencies are often the only basis used. Some comparison efforts go so far as to calculate rate of injury or fatality, taking into account the number of participants at risk, hours of participation, miles traveled or other measurable quantity. But for most sporting activities, no precise time periods or distance measurements or even number of actual participants nationally have been ascertained. Therefore, a totally equitable comparison of one sport to another in terms of 'most hazardous' becomes difficult at best." (Recreational Newsletter, March, 1978.)

Water skiing accidents can be grouped into five broad categories: those that result from falls; those from collisions with solid objects; from being struck by a moving boat or propeller; from entanglement in towlines, and those that occur to occupants of towboats for reasons which may (or may not) be related to water skiing.

Only injuries received in falls can reasonably be considered as a "normal" consequence of participating in water skiing. These are the bumps, bruises and occasional broken bones, torn ligaments and dislocations that are associated with any vigorous physical activity. In all other "water skiing" categories, injuries or fatalities are usually the result of people disregarding standard safety precautions, and not the consequences of any inherent danger in the sport, itself.

Lacerations that are inflicted by propeller blades, for instance, are easily avoided if the driver is watchful and if the skier does not attempt to jump into the water or board the boat near the running motor. Collisions with solid obstacles which break bones do not happen if

skiers and their drivers steer clear of such dangers. The most common case of this sort occurs when a skier attempts to land on shore or on a dock and misjudges his speed. There is no reason for a "dry" landing when there is such a risk.

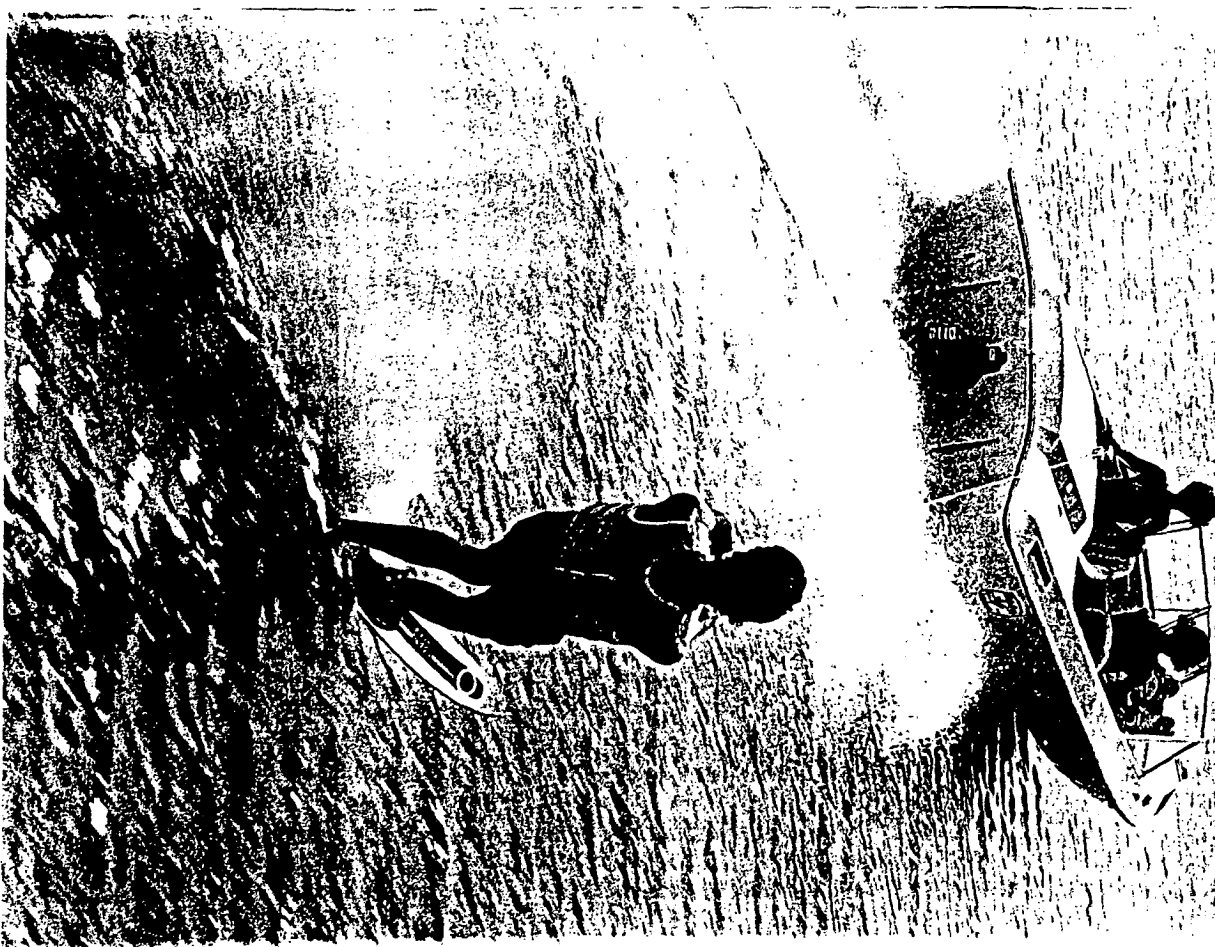
Because all water skiers should be familiar with the waters they use, there is no excuse for hitting sandbars and other shallow water objects. Injuries from striking unseen floating objects are rare. While it is conceivable for a skier to become entangled in a towline in a fall, experience has shown that the mutilation of fingers and limbs which results from such accidents is usually caused by the driver accelerating before the skier is ready, or by the skier holding the towline somewhere other than at the handle. And injuries to boat drivers usually occur from boat collisions because the driver is watching the skier instead of looking ahead at where he is going.

The five-year Coast Guard summary, which lists water ski accidents by type, supports the assertion that many of these are caused by flagrant disregard for safety procedures. Collisions between towboats and other vessels account for nearly 23 percent of the injuries and 15 percent of the deaths, while collisions with other fixed objects by either towboats or skiers resulted in a whopping 21 percent of the deaths and 12 percent of the injuries. Collisions with floating objects accounted for only 5 percent of the deaths and 4 percent of the injuries.

Approximately 17 percent of the deaths occurred when gunwale riders and others in towboats fell overboard! Another 13 percent died as a result of skiers (or some other party) being struck by boats or propellers. When all of these categories are considered, at least 69 percent of the fatalities and 53 percent of the injuries could have been prevented if the participants had heeded basic water ski safety rules.

Most of the remainder, 24 percent of the fatalities and 41 percent of the injuries, are lumped into a miscellaneous category termed "Other" in the Coast Guard report. It is assumed that this is largely composed of deaths and injuries to water skiers (rather than boat occupants) that could not be coded into one of the more specific boating accident categories. Because the Coast Guard system is set up to classify boating mishaps, but not necessarily accidents of associated water sports, it is impossible to tell exactly how a skier became injured. However, it is interesting to note that half the deaths in this miscellaneous category were drownings, mishaps that are usually prevented if a PFD is worn.

In a separate analysis, the Coast Guard lists the probable cause of each accident insofar as possible. Once again, the evidence points strongly to the culpability of towboat drivers.





Their inattention, carelessness, failure to maintain a proper forward lookout, and unexpected turns or quick acceleration resulted in one-third of the water skiing fatalities and injuries. In another 5 percent of the deaths and 11 percent of the injuries, some other vessel was at fault. It is interesting to note that "speeding" was given as the cause of only 7 percent of the injuries and that "equipment failure" caused only about 3 percent of injuries and death.

The Coast Guard data is not perfect, but this summary is by far the best available information.

If the exact number of water skiing accidents is difficult to determine, it is all the more difficult to learn the extent of the injuries. Experience has shown that most water ski injuries are medically minor or at least conducive to the full recovery of the victim. One indication of the severity of water skiing injuries comes from a survey of hospital emergency rooms conducted by a branch of the U.S. Consumer Product Safety Commission. Each reported case is analyzed to determine the severity of the injury and a severity value is calculated for each type of accident. The range of the severity value is from 10 to 2,560. Most sports rank far down on the scale as

compared to such things as automobile or industrial accidents. Water skiing and surfing, lumped together in the analysis, have a value of 23, compared to 19 for snow skiing, 26 for fishing, 37 for bicycling and 117 for swimming. This is not the number of cases but an index of how bad the injuries were.

Tournament water skiing has an enviable safety record as a competitive sport. There has never been a fatality in an AWSA sanctioned tournament and severe injuries have been few. In 1981, only 61 injuries were reported from 303 sanctioned tournaments. Assuming an average of 70 contestants per tournament, and assuming that each contestant skied an average of 2.5 times, there was one injury for every 869 rides. (Some contestants may ski as many as nine times.)

Most of the injuries suffered in tournaments in 1981 were cuts, sprains, bruises, pulled muscles or torn ligaments. Each tournament season, about 75 percent of the reported injuries occur in the jumping event, 18 percent in slalom and 7 percent in tricks.

Just how safe is water skiing? Certainly, there is a risk involved in water skiing just as there is risk in participating in any active sport. But it is a slight and calculated risk that is balanced

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20'x20'	\$36	30'x60'	\$145
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18'x32'	\$50	60'x120'	\$547
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Before Midnight January 23

Wiking Inc. will send you one of the above boat tarpaulins to its nearest before midnight January 23. Each tarpaulin lot (72,18, PVC) is constructed of high density fabric (with virgin grade ingre-
dient, supplied by Gulf Oil Co., Dow Chemical Co., and Union Oil Co.) with nylon reinforced rope hems, double lock stitched hems, electrically welded seams, 100% water proof, 14" vinyl, electro-grommets set on 3" centers with reinforced through corner patches and one recommended for all heavy duty use, all pockets and subpockets, and all built for pole riding and use on boats and trailers. All tarpaulins are made in the USA and must perform 100% or it will be replaced free. Add \$7 handling & crating for each tarp ordered. Wiking Inc. pays all shipping. Should you wish to return your tarpaulins you may do so for a full refund. Any letter postmarked later than January 23 will be returned. Limit: 1500 tarpaulins per address, no exceptions. Send appropriate sum together with your name & address to: Wiking Inc., 4101 AK, Wiking Inc., 4114 Santa Monica Blvd., L.A., CA 90423, or for latest service from any point of the country call collect, before midnight 7 days a week (24 hours) toll-free 1-800-451-1010. (Add \$151 for 1010 AK, have credit card ready).

(date)

page

Parties of Record before Water Management Board Appl. No. 2165-2

New Underwood Land Partners

Applicant

Tim Mills, Agent

New Underwood Land Partners

P.O. Box 8134

Rapid City, SD 57709

Opponent

Portia Brown (attny)

Morrill Brown & Thomas

P.O. Box 8108

Rapid City, SD 57709-8108

Preponent

American Water Ski Assoc.

799 Overlook Drive

Winterhaven, FL 33884

- Don Cullimore

Representing

City of New Underwood

LESLIE J. ENGLAND
(ALSO ADMITTED IN COLORADO)

LAW FIRM OF
LESLIE JAMES ENGLAND
SUITE 102, WESTERN MUTUAL BUILDING
731 ST. JOSEPH STREET
RAPID CITY, SOUTH DAKOTA 57701

TELEPHONE (605) 341-7600
FAX (605) 343-4131

January 8, 1990



Mr. John Hatch
Chief Engineer
South Dakota Department of
Water and Natural Resources
523 East Capitol Avenue
Pierre, SD 57501-3181

RE: Tightline Lake near New Underwood, South Dakota

Dear Mr. Hatch:

The New Underwood Land Partners have asked me to respond to you about the letter of December 18, 1990 from the City of New Underwood to you regarding concerns the City raised about the operation of Tightline Lake. Jim Goodman from your office contacted Mr. Tim Mills, one of the permanent residents at the lake, by telephone and discussed the matter with him, and kindly forwarded a copy of the City of New Underwood's correspondence.

The partnership is a water ski club and owns the lake and associated lots. In addition to Mr. & Mrs. Tim Mills, the partnership is comprised of Dr. & Mrs. Bert Corwin, Dr. & Mrs. Dennis Mills, Dr. Rick Schmid, Mr. & Mrs. Frank Schmid, Ken Wrede, and Tom Watson. The partnership well and water system serves eight 10-acre partnership lots surrounding the lake, four of which have thus far been developed as year-round or summer residences. The development includes substantial area seeding, fish and tree planting, snow fencing, enhancement of natural springs, and rip rap and erosion control. The lake site and housing development complied with Corps of Engineers, Pennington County and all other governmental regulations, and the owners take great pride in the project and its aesthetic and economic impacts not only on New Underwood but the surrounding Western South Dakota area.

The partnership well produces from the Inyan Kara group formation, and based upon DWRN's September 22, 1989 report on the partnership's Application No. 2097-2, the nearest Inyan Kara monitoring well is over twenty miles to the south. At the time, the nearest existing permits were the City of New Underwood's well numbers 660-2, 1789-2 and 1947-2, also in the Inyan Kara aquifer, according to Genny McMath of your office. The report

Mr. John Hatch
January 8, 1991
Page Two

states that New Underwood's diversion points are approximately two miles from the well in question with no other permits in the area, so interference would not be a problem, and drawdowns created by pumping would not adversely affect existing users. The partnership's diversion is relatively small and pumping at that rate does not cause extensive drawdowns (seventeen feet maximum).

The following is in response to the City of New Underwood's letter outlining specific items:

1. There is a four (4) inch diameter drain from the underground pumphouse allowing leakage to run into the lake, and there is also a two (2) inch valve and short pipe in the pumphouse that when opened allows water to run from the well into the drain. Water cannot, however, be drawn from the lake up the drain or into the pipe to the well.
2. The electric meter registers all electrical use of the pumphouse, including 24 hour lighting, a phase converter and computer, in addition to the well pump.
3. There are three backflow preventors in the system, at 460 feet of depth, at 230 feet of depth, and also at ground level in the pump house.
4. In July or August, 1990, weeds were sprayed with an approved aquatic product that was very effective in destroying them.
5. All hydrants have always been functional.

The New Underwood Land Partners share the City of New Underwood's concern for contamination, and have taken necessary preventative measures. The well was constructed observing all State laws, rules and regulations in effect at the time.

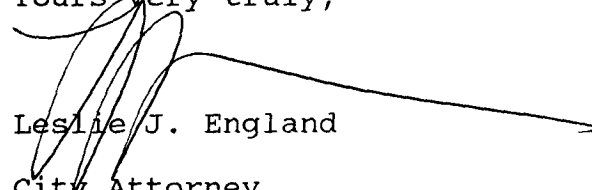
While there has been a shortage of rainfall in recent years, the New Underwood Land Partners do not believe that their use of water from the Inyan Kara aquifer has in any way compromised or will compromise the water supply of the City of New Underwood. The partnership has asked me to obtain an amended permit to accommodate the minor maintenance level requirements

Mr. John Hatch
January 8, 1991
Page Three

of Tightline Lake. I understand there are other instances of maintenance in South Dakota such as Bear Butte Lake, Philip Reservoir, Hart Ranch, Rushmore Water Slide and Marine Life, and such maintenance is more common in other states.

I look forward to discussing this matter with you in the near future.

Yours very truly,



Leslie J. England

LJE/nmm

cc Portia K. Brown, New Underwood City Attorney
Bert Corwin
Tim Mills

City of New Underwood

Box 278

New Underwood, SD 57761

605 - 754-6777



Dec. 18, 1990

Dept. of Water & Natural Resources
523 East Capitol
Pierre, SD 57501
Attn. John Hatch

Dear Mr. Hatch,

There is a ski dam and residential development located northwest of New Underwood, legal description section 25 & 26 NW $\frac{1}{4}$ NE $\frac{1}{4}$ T2N R10E, BHM, Lot 3 Tightline Lake Estates, Pennington County, South Dakota, which is causing the City of New Underwood some growing concerns.

Since the well at the above location was installed, several concerned citizens have reported to our City Officials their belief that this dam is being fed by well water from the same aquifer we are in. This would be a definite violation of a domestic use permit for well water.

The only physical evidence we have is that the water level of the dam is rising at a rapid pace, which is the reason we are finally asking for an investigation into these allegations. We have not had the precipitation to warrant a rising level of any dam.

The reports we have received alledge that:

1. One of the well drillers state there is definitely a pipe running from the well to the dam.
2. The electric meter is spinning at a great speed when there is no one around to use water.
3. One of the employees that helped to install the waterline states that there is a pipe to the dam and that no backflow preventor is on this line.
4. That the weeds present in the dam this summer and fall are now covered with water.
5. That there is a dummy hydrant located near the dam.

We realize this is a serious allegation, but feel it is our duty to ask you to investigate these reports. We are concerned that without a backflow preventor the aquifer that the City well is located in will be contaminated. Also with the shortage of rainfall in recent years, we do not feel that filling a dam to ski on is as important as providing water for human consumption for the City of New Underwood.

(cont.)



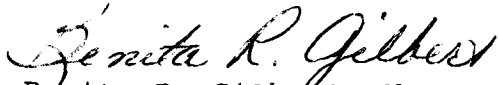
— an equal opportunity employer —



(cont. page 2)

Thank you, in advance, for your time and consideration into this matter. If you have any further questions please do not hesitate contacting me.

Kindest Regards,

A handwritten signature in cursive script, reading "Benita R. Gilbert".

Benita R. Gilbert, Mayor
City of New Underwood

c.c.file

Portia K. Brown, City Attorney

Walter D. Miller, Lt. Governor

BRG/mja

City of New Underwood

Box 278

New Underwood, SD 57761

605 - 754-6777



January 31, 1991

Water and Natural Resources
523 East Capitol
Pierre, SD 57501
Attn. John Hatch

Dear Mr. Hatch,

I spoke with Eric from your office this morning about Tightline Lake Estates permit.

It is our understanding that Tightline Lake Estates will be requesting a water permit for use other than domestic use. The City of New Underwood requests a copy of this permit and notification of a hearing date if this permit is received by your office.

As per our previous correspondence, you can understand our concerns, and appreciate your help.

Kindest Regards,

Benita R. Gilbert

Benita R. Gilbert, Mayor
City of New Underwood

c.c. Portia K. Brown, City Attorney
Walter D. Miller, Lt. Governor
file



— an equal opportunity employer —





DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 4, 1991

Benita R. Gilbert, Mayor
City of New Underwood
Box 278
New Underwood, SD 57761

Dear Mayor Gilbert:

I am writing regarding your request that this office investigate New Underwood Land Partner's compliance with their water permits for Tightline Lake Estates. Your concerns are in regard to the use of the recently constructed well to supplement flow to Tightline Lake.

The New Underwood Land Partners hold Water Permit No. 2097-2 which appropriates 0.07 cubic feet of water per second from one well constructed into the Inyan Kara Aquifer to be used for domestic and suburban housing development purposes. The New Underwood Land Partners also hold Water Permit No. 1983-2 and 1983A-2 which authorize the impoundment of 60 acre feet of water in Tightline Lake for recreational and domestic purposes. These permits do not authorize any diversion of water from the well to supplement flow to the lake.

The New Underwood Land Partners have acknowledged that there is a pipeline from the well pumphouse to the lake and the appurtenant equipment to allow water to run from the well into the pipeline. They were informed that their current permits do not authorize diversion of water from the well to the lake and that such diversions would be in violation of their permits and water rights law. In response to your other concerns we have been informed that the well has three backflow preventers installed in the system, all of the hydrants are functional and the weeds in the lake were destroyed by means of an approved aquatic spray.

The New Underwood Land Partners informed this office that they intend to file a water permit application to allow diversion of water from the well to the lake. Upon receipt of this application, Division of Water Rights staff will prepare a report on the application which will investigate whether 1) unappropriated water is available, 2) existing rights will be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. A notice of hearing will

Page 2

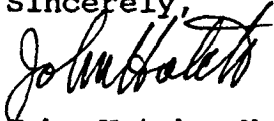
February 4, 1991

Gilbert, Benita

then be published in the Rapid City Journal pursuant to SDCL 46-2A-4 for two consecutive weeks. A copy of this notice will be sent to the City of New Underwood and you will have the right to file a petition. Filing a petition will make you a party of record to the hearing on the proposed application. A hearing before the Water Management Board will then be scheduled at which time the applicant and all parties may present testimony regarding the application to the Board.

Finally, the New Underwood Land Partners will not be allowed to divert water from the well into the lake until they secure the proper water permit in accordance with state statutes. If you have any questions regarding this issue, please feel free to contact Eric Gronlund at (605) 773-3352.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Hatch".

John Hatch, Chief Engineer
Water Rights Division

LESLIE J. ENGLAND
(ALSO ADMITTED IN COLORADO)

LAW FIRM OF
LESLIE JAMES ENGLAND
SUITE 102, WESTERN MUTUAL BUILDING
731 ST. JOSEPH STREET
RAPID CITY, SOUTH DAKOTA 57701

TELEPHONE (605) 341-7600
FAX (605) 343-4131

February 15, 1991



Mr. John Hatch
Chief Engineer
South Dakota Department of
Water and Natural Resources
523 East Capitol Avenue
Pierre, SD 57501-3181

Re: Application to Amend Water Permit No. 2097-2, New
Underwood Land Partners

Dear Mr. Hatch:

Enclosed please find two completed copies of Form 2 - Application to Appropriate Water and Form 2A, along with this firm's check in the amount of \$50.00 for the filing fee. In addition we attached copies of a summary of related water rights, lake photograph and a marked Flood Insurance Rate Map for reference. Finally an enclosed copy of a well log signed by a South Dakota licensed well driller is provided.

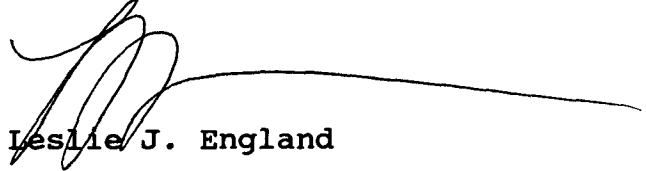
As mentioned to Jim Goddman, we will be sending you a plat map signed by a professional engineer within a few days. Please contact my office with any questions in regards to this Application.

It is the sincere hope of the New Underwood Land Partners that their application merits your recommendation of approval for implementation at or before the May, 1991 Water Management Board meeting. The benefits of their development to New Underwood and western South Dakota include attracting hundreds of out of state skiers and families to official National Water Ski Association sanctioned events, and reduction of boat traffic on Black Hills lakes. The minimal make up needs assuring safe operation of their lake will permit daily use and continued development of

Mr. John Hatch
February 15, 1991
Page 2

Tightline Lake Estates. Thank you for your kind attention to this matter.

Very truly yours,

A handwritten signature in dark ink, appearing to be 'LJ England', with a long horizontal line extending to the right.

Leslie J. England

LJE/cs

Enclosures

cc: Tim Mills
Bert Corwin

P. S. Would a February 28, meeting with your staff in Pierre be possible?

LESLIE J. ENGLAND
(ALSO ADMITTED IN COLORADO)

LAW FIRM OF
LESLIE JAMES ENGLAND
SUITE 102, WESTERN MUTUAL BUILDING
731 ST. JOSEPH STREET
RAPID CITY, SOUTH DAKOTA 57701

TELEPHONE (605) 341-7600
FAX (605) 343-4131

February 18, 1991



FEDERAL EXPRESS

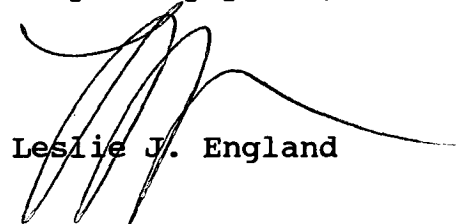
Mr. John Hatch
Chief Engineer
South Dakota Department of
Water and Natural Resources
523 East Capitol Avenue
Pierre, SD 57501-3181

Re: Application to Amend Water Permit No. 2097-2, New
Underwood Land Partners

Dear Mr. Hatch:

Enclosed please find a replacement page with notarization to be attached to Form 2, Application for Permit to Appropriate Water within the State of South Dakota sent to you on Friday, February 15, 1991. Please substitute this page for the page attached to the original application. Thank you.

Very truly yours,



Leslie J. England

LJE/cs

Enclosure

LESLIE J. ENGLAND
(ALSO ADMITTED IN COLORADO)

LAW FIRM OF
LESLIE JAMES ENGLAND
SUITE 102, WESTERN MUTUAL BUILDING
731 ST. JOSEPH STREET

TELEPHONE (605) 341-7600
FAX (605) 343-4131

RAPID CITY, SOUTH DAKOTA 57701

February 19, 1991



Mr. John Hatch
Chief Engineer
South Dakota Department of
Water and Natural Resources
523 East Capitol Avenue
Pierre, SD 57501-3181

Re: Application to Amend Water Permit No. 2097-2, New
Underwood Land Partners

Dear Mr. Hatch:

Enclosed please find the map and a duplicate of the second
page to be attached to Form 2, Application for Permit to
Appropriate Water within the State of South Dakota sent to you on
Friday, February 15, 1991. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to be "LJ England", written over the typed name.

Leslie J. England

LJE/cs

Enclosures

Conversation or File Documentation

NAME OF PERSON OR FILE: New Underwood Land Partners

ADDRESS: _____ COUNTY _____

DATE: 2/22/91 TELEPHONE _____RE: Les England

COMMENTS:

Les called regarding whether the application for the Partners
was complete. I stated that we felt the diversion to the
dam would take a new priority date. Les didn't seem
to have any problem with this but did want to check
with his client. I also stated I was going to add the
location of the dam and impounded area and Les thought
this was a good idea.

He wants to meet at 1:00 pm on the 28th on this issue

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.

NAME: Eric Hamlund



DEPARTMENT OF WATER & NATURAL RESOURCES

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

April 1, 1991

Timothy M. Mills, Agent
New Underwood Land Partners
PO Box 8134
Rapid City, SD 57709

Dear Mr. Mills:

Water Permit Application No. 2165-2 for commercial, suburban housing development, domestic, and recreational use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Rapid City Journal printed at Rapid City, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

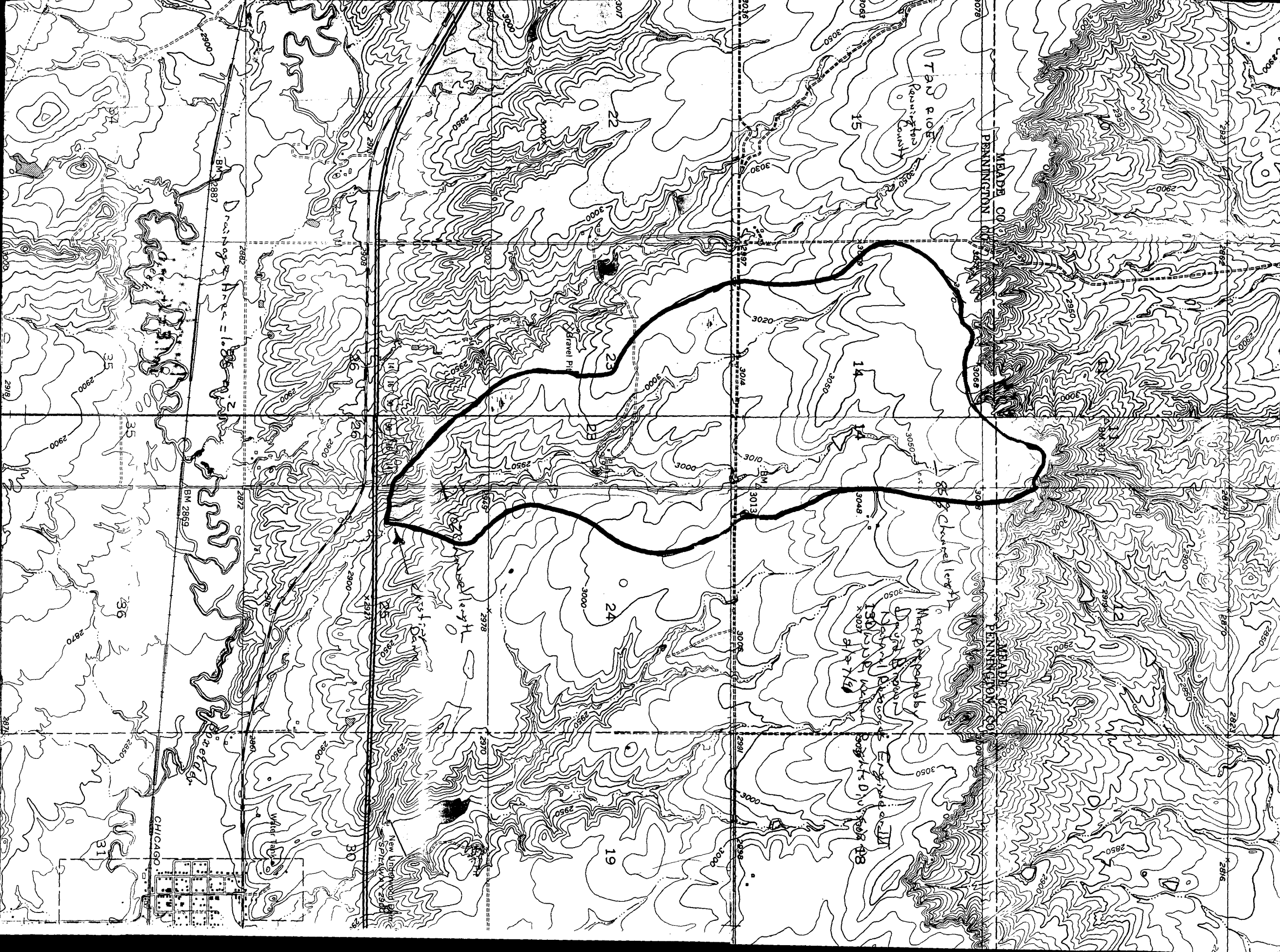
Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

cc: Benita Gilbert, Mayor
Portia Brown, City Attorney
Les England, Attorney



MEADE CO. PENN. MEADE CO. PENN.

TAN 2105

14

15

23

22

24

19

22

23

BM 2887

BM 2869

CHICAGO

85 ft Channel length

Map probably
from 1900
1300 ft elevation
5/12/14

Gravel Pit

New Limestone

Spartan

Drainage Area 1000 sq. ft.

Water Tunnel

REPORT ON APPLICATION NO. 2165-2
for New Underwood Land Partners
March 26, 1991

Application No. 2165-2 proposes to add to the uses authorized by Water Permit No. 2097-2 to allow diversion into Tightline Lake in order to maintain lake levels. Water Permit No. 2097-2 appropriates 0.07 cfs from a 2868 feet deep well located in the NE 1/4 NE 1/4 of section 26, T2N R10E BHM for domestic and suburban housing development purposes. Vested Right No. 1983-2 and Water Permit No. 1983A-2 combined, authorize storage of 60 acre feet of storage in a dam (Tightline Lake) located in the NW 1/4 of section 25 and a portion of the E 1/2 NE 1/4 of section 26; all in T2N R10E BHM in Pennington County. This application, if approved, would not increase the diversion rate from the well but will increase the volume of water used annually. The maximum annual diversion allowed from the well would be 50.6 acre feet.

AQUIFER - INYAN KARA (INKR)

The Inyan Kara Group consists of the Fall River, Fuson and Lakota Formations in descending order. According to the well completion report submitted with this application, the top of the Inyan Kara (Fall River Formation) was at 2558 feet and the top of the Lakota was at 2651 feet below land surface. The well was perforated in both the Fall River (2598-2608) and the Lakota (2652-2662 and 2705-2735) and had a static water level of 350 feet below land surface. The well reportedly produced 55 gpm when pumped with air.

The Inyan Kara Group is made up of sandstones, shales and siltstones and is under artesian conditions at this site. The Inyan Kara Group underlies 1.2 million acres and contains an estimated 23.4 million acre feet of water in storage (Allen, 1984). The Division of Water Rights does not have any monitoring wells in the area. The nearest Inyan Kara observation well is near Hermosa. Water levels for these wells do not change significantly (Water Rights, 1991). Ground water moves from west, the outcrop (recharge area) to the east (Peter, 1985). There is no reliable estimate for recharge to the Inyan Kara Group.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

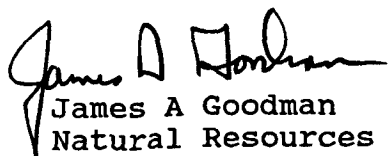
The City of New Underwood holds permit/right Nos. 660-2, 1780-2 and 1947-2 for ground water from the Inyan Kara Group. The well for this application is approximately 2 miles from the nearest City well. Drawdowns caused by pumping this well are not expected to adversely affect water availability from the aquifer for two reasons, first, the distance between diversions and second, the pumping rate is relatively small.

Water Right	660-2	.45 cfs	2680 feet
Future Use	1780-2	1.00 cfs	Inyan Kara
Water Permit	1947-2	1.00 cfs	2825 feet

Water Permit 1947-2 was approved based upon the future use permit 1780-2. Any water not developed by by Water Permit 1947-2 would remain in future use. Together these permits represent a total of 1 cfs.

CONCLUSIONS

1. Water is available from the Inyan Kara aquifer.
2. Interference is not expected to be a problem. Even though this is an artesian aquifer, drawdowns caused by 0.07 cfs should not affect the City of New Underwood.
3. Data is not available to determine any historical water level trends for the Inyan Kara aquifer in this area.
4. The annual water usage for this application and Water Permit No. 2097-2 combined cannot exceed 50.6 acre feet per year.
5. Diversions from the well into Tightline Lake will be made on an as needed basis. The drainage area above the dam encompasses 1.85 square miles. Two methods were used to estimate the runoff from this area into Tightline Lake. Both methods indicate a yield of 70 to 75 acre feet can be expected from this drainage basin every other year. Incorporating this into a water budget for Tightline Lake results in a net gain of water in storage which can be expected every other year. However, when extended drought occurs these estimates have no practical application.
6. The limiting factor with this application is the diversion rate of 0.07 cfs. Continuous pumping at this rate yields 50.6 acre feet annually. Pumping this amount of water is physically unlikely and some of the water will be used to supply domestic water. Evaporative loses are estimated to be about 35 acre feet annually. For example pumping 90 days continuously at the 0.07 cfs would yield about 12.5 acre feet which would raise the surface of the 10.5 acre lake about 14.3 inches. Pumping from the well would barely keep up with evaporation loses.
7. The applicant indicates that pumping from the well into the lake would only be done when necessary. Also pumping from the well will not be done when the lake level is within 6 inches of the overflow.
8. The project is a beneficial use of water for recreational purposes. The lake will be maintained for water skiing and for water skiing tournaments.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Allen, J.C., 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DWRN, SDGS, Vermillion, SD, 57069.
- Peter, K.D., 1985, Availability and Quality of Water From the Bedrock Aquifers in the Rapid City Area, South Dakota, USGS WRI 85-4022, USGS, Rapid City, SD, 57701.
- Water Rights, 1991, Inyan Kara Observation Well Records, SD DWRN, Div. of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2165-2, New Underwood Land Partners

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. 2165-2, New Underwood Land Partners, PO Box 8134, Rapid City, SD.

The Chief Engineer is recommending DEFERRAL of Application No. 2165-2 to allow a hearing to be conducted by the Water Management Board.

See report on application for additional information.


JOHN HATCH, Chief Engineer
April 1, 1991



DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 1, 1991

Rapid City Journal
PO Box 450
Rapid City, SD 57709

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2165-2 to be published twice. Please publish the first notice on April 4, 1991, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is New Underwood Land Partners, PO Box 8134, Rapid City, SD 57709.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on April 4, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2165-2 to Appropriate Water

Notice is given that New Underwood Land Partners, PO Box 8134, Rapid City, SD 57709 has filed an application for a water permit to allow diversion of 0.07 cubic feet of water per second from one existing well (Inyan Kara Formation) 2800 feet deep authorized by Water Permit No. 2097-2 to maintain the lake level of a dam. Water Permit No. 2097-2 appropriates 0.07 (cfs) from one well located in the NE 1/4 NE 1/4 Section 26, T2N, R10E for domestic and suburban housing development purposes. The dam authorized by Vested Right No. 1983-2 and Water Permit No. 1983A-2, combined, authorize impoundment of 60 acre-feet of water in a dam constructed along dry draw located in the NW 1/4 Section 25 and portion of the E 1/2 NE 1/4 Section 26; all in T2N, R10E. This application, if approved, would not increase the 0.07 cfs diversion rate from the existing well but will increase the volume of water used on a yearly basis from the well. The water is to be used for commercial, suburban housing development, domestic, and recreation purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends DEFERRAL of Application No. 2165-2 to allow the Water Management Board to conduct a hearing on this application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 22, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 2165-2 and 2) the chief engineer's recommendation, a Board meeting is scheduled for May 1, 1991, at 10:00 am in the meeting room at Chef Louie's, 601 E. Havens, Mitchell, SD. If this application is opposed or the recommendation is contested, the May 1, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The May 1, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by April 22, 1991.

The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

American Water Ski Association



5 April 1991

TO: Mr. John Hatch, Chief Engineer
Division of Water Rights
Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

& Mr. Timothy M. Mills, Agent
New Underwood Land Partners
Post Office Box 8134
Rapid City, South Dakota 57709

RE: Petition in support of Application No. 2165-2 to Appropriate
Water for commercial, suburban housing, development, domestic
and recreational uses.

DESCRIPTION OF INTERESTED PARTY: The American Water Ski Association (AWSA), headquartered in Winter Haven, Florida, was founded in 1939 as the governing body for the organized sport of water skiing. It is a member of the U.S. Olympic Committee and affiliated with the International Water Ski Federation, the world governing body. AWSA is petitioning in support of Application No. 2165-2 filed by Mr. Timothy M. Mills, Agent for New Underwood Land Partners.

STATEMENT OF SUPPORT: Mr. Mills is a member of the Tightline Lake Water Ski Club, which is affiliated with the American Water Ski Association (AWSA). Members of this club and of the original Black Hills Water Ski Club have been associated with AWSA since the early 1960s. The skiers and their club activities have established a positive social and recreational activity in the area that has been enjoyed by a large number of people for many years. Indeed, that region of South Dakota has produced a number of National Championship-level skiers; as many as 15 South Dakota skiers have qualified for the annual National Championships, which is a prestigious event (only approximately 600 out of 10,000 competitive skiers area able to qualify for the event each year). To our knowledge the skiers' activities have been well received in the region; additionally, the skiers have maintained an excellent safety record in their conduct of the sport. Water skiing is one of the most popular and fastest-growing recreational and competitive sports in the nation: surveys by the National Marine Manufacturers Association, National Sporting Goods Association and the A.C. Neilson Co., show there are from 15 million to 17 water skiers in the United States. Statistical data (copy enclosed)

Division of Water Rights/page two

published annually by the U.S. Army Corps of Engineers also show that water skiing is one of the safer forms of water-based activities: a person sitting in a drifting boat is far more likely to be involved in a serious or fatal boating accident than is a water skier.

Water skiing is a family-oriented sport, often with Mom, Dad and kids all participating in both the recreational and competitive sides of water skiing. AWSA, which represents both recreational and competitive skiers, has 24,000 members in five regions throughout the United States. Approximately half of those members are competitive skiers who take part in the more than 600 tournaments held each year in virtually every state as local and regional events, with top skiers from these tournaments participating in the annual National Water Ski Championships. The U.S. Water Ski Team participates in the World Water Ski Championships (held every two years), other international events worldwide and the Pan American Championships. It is the reigning World Champion. The U.S. Team has never been beaten by another national team since the World Championships began in 1949! The U.S. Team also participates in The U.S. Olympic Festival as a demonstration sport, most recently in 1989 in Oklahoma City.

The American Water Ski Educational Foundation, our sister organization, maintains the Water Ski Hall of Fame and Museum in Winter Haven, Fla., and raises money to fund educational scholarships that go to young men and women throughout the country who are seeking to obtain undergraduate and graduate degrees in our colleges and universities. One or more American skiers, considered among the world's top athletes in the sport, are inducted into the Hall of Fame each spring.

Cooperative efforts between AWSA members and local communities to develop water ski sites for recreational and competitive purposes have become a viable mechanism for communities interested in developing local recreational opportunities, as well as establishing healthy, family-oriented recreational activities that often boost tourism revenues for local businesses. One such cooperative effort -- between AWSA-affiliated water ski clubs and the County of West Palm Beach, Florida -- resulted in the establishment of Okeethee County Park, which has proved to be both a financial boon to local businesses and a highly popular public recreational facility operated by the county. For example, a study of the Okeethee site showed that for every \$1 of county government grant funds invested in promoting water ski activities at the park, \$78.96 were returned to the county through monies spent with local businesses by persons participating in tournaments and those who were viewing the events as spectators.

Finally, it is our understanding that if the water being sought for maintaining the lake level is granted by the state, the use of the water would have no deleterious effects on water supplies that are

Division of Water Rights/page three

being used or might be used by other groups or communities within the region. We encourage the Department of Water & Natural Resources to look on this application in a favorable light, especially in view of the numerous positive social and economic benefits that water skiing activities could bring to the area. The site involved in the application is the only water ski site in western South Dakota that has an established slalom course and is certified for record-capability water ski tournaments.

SUPPLEMENTAL INFORMATION: Copies of the Okeeheelee study, a cooperative effort between water skiers and government in the development of the Lake Berryessa ski site in California are enclosed as additional documentation in support of our petition. Safety information on water skiing also is enclosed. If the American Water Ski Association can be of additional assistance to the Department concerning this application, please contact us.

Sincerely,



Don Cullimore
Director of Communications & Public Affairs

DC:hi

cc: Timothy Mills, Agent, New Underwood Land Partners
Tony Baggiano, President, American Water Ski Association
Will Bush, Executive Vice President, AWSA West Region
Stephen C. Brown, Chairman, AWSA Waterways
Educational Committee

April 15, 1991



John Hatch
Chief Engineer
Water Rights Division, Foss Bldg.
523 E. Capitol
Pierre, SD 57501

Re: Petition regarding notice of Hearing on Application #2165-2

Petition - New Underwood Land Partners

Petitioners Interest - Party who filed application #2165-2

Dear John:

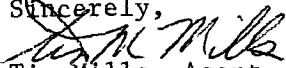
The New Underwood Land Partners hereby request the Water Management Board to act favorably upon application 2165-2 and do not oppose the Chief Engineer's recommendation of deferral for a hearing.

Reasons for support:

- 1) Unappropriated water is available.
- 2) No possible interference with other wells.
- 3) Provides economic benefits to area.
 - a) Eight homesites increase tax base for county, school district, road maintenance.
 - b) Sponsors American Water Ski Association sanctioned tournaments that bring in tourists from a wide geographical area.
 - c) Provides training site for South Dakota skiers who compete, with a safe, controlled environment.
- 4) Offers only slalom course available in Western South Dakota.
- 5) Helps relieve congestion on public lakes.
- 6) Have taken several steps to minimize water consumption.
 - a) lake built in a FEMA designated flood zone.
 - b) installed 1000 ft of snow fence.
 - c) lake has several active springs feeding into it.
 - d) large drainage area feeding lake.
 - e) clay, shale composition allows minimal percolation.
 - f) lake is sheltered by hills on three sides.
- 7) Benefit to waterfowl that nest and live on lake. (Canadian Geese, several types of ducks) no hunting allowed.
- 8) Have satisfied all local, state and Corps. of Engineers requirement for construction and zoning.
- 9) Waterskiing is a growing family sport.
- 10) Other states including California, Arizona, Utah, Florida, Idaho, Colorado, Illinois, Texas and many others have approved and encouraged similar sites and appropriated water.

The petitioners ask the water board to act favorably on this application and look forward to answering questions at the May 1, 1991 hearing in Mitchell, SD.

Sincerely,


Tim Mills, Agent

New Underwood Land Partners

Conversation or File Documentation

NAME OF PERSON OR FILE: New Underwood Land Partners

ADDRESS: _____ COUNTY _____

DATE: 4/18/91 TELEPHONE _____RE: Phone call from Portia Brown 348-7516

COMMENTS:

Mrs. Brown called regarding Permit No 2165-2. She represents the city of New Underwood and supposedly, an agreement has been reached between the city and the applicant in which the applicant would cease diverting if New Underwood thought they were being impacted. She said she was going to send a letter to that effect and was wondering if it was necessary to come to the meeting. I told her that since John has not made a recommendation with qualifications, that may be that it could be a qualification but if it wasn't by agreement of the applicant or the Chief Engineer would not do not agree with it that just the letter before the WMB is generally considered hearsay. If they wanted it as a qualification and C.E. or applicant didn't agree it would be to their benefit to attend the meeting. I told her after receiving her ~~sent~~ letter we'd get back to her.
(after the call)

~~Upon further~~

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.

NAME: Eric Hemlund

LAW OFFICES
MORRILL BROWN & THOMAS

625 NINTH STREET - 8TH FLOOR

P. O. Box 8108

RAPID CITY, SOUTH DAKOTA 57709-8108

DAVID E. MORRILL
PORTIA K. BROWN
TIMOTHY L. THOMAS
JOHN K. NOONEY

April 19, 1991

TELEPHONE
(605) 348-7516

FAX
(605) 348-5852

John Hatch
Chief Engineer
Water Rights Division
Foss Building
523 E. Capitol
Pierre, SD 57501



New Underwood Land Partners
P. O. Box 8134
Rapid City, SD 57709

Re: Application No. 2165-2 to Appropriate Water
New Underwood Land Partners

Gentlemen:

This letter is submitted on behalf of my client, the City of New Underwood, South Dakota, relative to the above application. The officials for the City have expressed concerns at having waters, made more precious by the continuing drought, used for the low priority purpose of maintaining the level of a private ski dam.

Recent discussions between the City officials and Applicant have resulted in an understanding. If the Water Management Board approves the application, the City requests that the following condition be incorporated into any water permit issued pursuant to this application.

The municipal water system for the City of New Underwood maintains a 40 horse power pump set at 600 feet. After 24 hours of continuous pumping at 200 gallons per minute, a draw down level of 133 feet (static level at 325 feet, pumping level at 458 feet) is expected. In the event the City's system reaches a pumping level of 150 feet, the City shall have the right to contact the Applicant or its representatives and request that nonessential water use under the permit cease immediately until the City's system has achieved a static level of 133 feet. At that time, Applicant would be notified and its usage could resume.

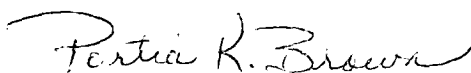
Please consider this letter the petition of the City of New Underwood. If the Applicant or the Chief Engineer cannot agree to request or recommend that the condition set forth be made a part

John Hatch
New Underwood Land Partners
April 19, 1991 letter
Page 2

of any permit issued, please contact my office, so arrangement can be made for an appearance by the City at the scheduled hearing.

Thank you for your consideration.

Sincerely yours,

A handwritten signature in cursive script that reads "Portia K. Brown". The signature is fluid and elegant, with a large initial 'P'.

Portia K. Brown

PKB:bae

cc: Les England, Esq.
City of New Underwood
Eric Gronlund

Conversation or File Documentation

NAME OF PERSON OR FILE: New Underwood Land Partners

ADDRESS: _____ COUNTY _____

DATE: 4/22/91 TELEPHONE 800-658-2228RE: Discussion w/ Tim Mills

COMMENTS:

Mr. Tim Mills called regarding the letter from Portia Brown representing the City of New Underwood. Mr. Mills stated that what he got out of the meeting with city officials was that they would support the Land Partners Appl. He said the qualification in Mrs. Brown's letter was never discussed and that the Land Partners were not in agreement with the qualification. I told him that the Chief Engineer also was not in agreement with the qualification as listed in Mrs. Brown's letter. Mr. Mills stated that it should be the state's responsibility to determine when and if ~~the~~ interference is occurring and not leave it up to some third party.

I stated to Mr. Mills that we would consider this a petition and a hearing will take place before the Board.

I tried calling Portia Brown to let her know the Land Partners were not in agreement with qualification. She was not in so I left a message.

Also tried to get ahold of Benita Gilbert, I'll try back Tuesday morning.

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.

NAME: Eric Humlung

Dear Jim, Eric, John -



just a short note to thank you
for your professional help with our
recent application. I appreciated
you taking the time to work with us
and having an open-mind about our
needs.

I know we still need to have the
site and well inspected sometime in the future
but if you have a chance, please feel
free to stop by and say hello and see
what's going on. Thanks again for your
professional help.

Sincerely
K. M. Mills



DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 26, 1991

Benita R. Gilbert, Mayor
City of New Underwood
Box 278
New Underwood, SD 57761

Dear Mayor Gilbert:

I am writing in response the proposed qualification that Portia Brown, City Attorney, has requested be added to any water permit issued pursuant to the Water Permit Application No. 2165-2, New Underwood Land Partners. I am unable to support the proposed qualification that would prohibit nonessential water use by the Land Partners if the City's system reaches a pumping level of 150 feet. An aquifer pumping level cannot be guaranteed through the water permitting process.

Unappropriated water is currently available from the Inyan Kara Aquifer and interference is not expected due to the distance between wells and the relatively small diversion by the Land Partners. Also the proposed qualification does not take into account water level trends that may occur in the Inyan Kara aquifer. If the Water Management Board approves this application, I will recommend the standard well interference qualification to be incorporated in the permit. This qualification reads as follows:

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.

The City of New Underwood has established prior use of water within the Inyan Kara Aquifer through Water Right No. 660-2 and Water Permit No. 1947-2. Should adverse interference to the supply of water in the Inyan Kara Aquifer occur as a direct result of the Land Partner's well, the city of New Underwood has first priority.

The Water Management Board will consider Water Permit Application No. 2165-2 at 10:00 am in the meeting room, Chef Louie's, 601 E. Havens,

Benita R. Gilbert, Mayor
April 26, 1991
Page 2

Mitchell SD. If you have any questions prior to the Water Management Board regarding our well interference policy, please feel free to contact Eric Gronlund, (605) 773-3352.

Very truly yours,

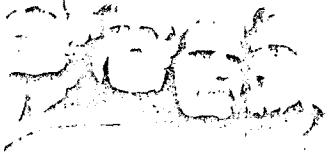


John Hatch, Chief Engineer
Division of Water Rights
605 773-3352

cc: Portia Brown, Attorney
Tim Mills, New Underwood Land Partners
Diane Best, Assistant Attorney General

BLIND: Walt Miller, Lieutenant Governor

South Dakota



GREAT FACES. GREAT PLACES.

JUL 23 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Timothy M Mills
New Underwood Land Partners
PO Box 8134
Rapid City, SD 57709

Dear Mr. Mills:

Enclosed is Water Permit No. 2165-2 authorizing construction of the water system and the application of water 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,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

South Dakota

GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE SOUTH DAKOTA 57501-3181

November 7, 1991

Tim Mills
P.O. Box 8134
Rapid City, SD 57709

Dear Mr. Mills:

I have enclosed correspondence and file documentation from the Water Permit No. 2165-2 file that you may not have previously received. This information is being sent to you as you requested from Jim Goodman.

The other contents of the file not included in this enclosure is information you sent to this office or correspondence that was sent directly to you. I believe your current file should contain this information.

I have not included any of the other file documentation from the other permits held by New Underwood Land Partners. I believe you were only interested in the documentation from this most recent application process.

If we may be of any further assistance, please feel free to contact Jim Goodman or myself at 773-3352.

Sincerely,

Eric Gronlund

Eric Gronlund
Water Rights Division

enclosure

2165-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 7, 1992

Tim Mills
The New Underwood Land Partners
P.O. Box 8134
Rapid City SD 57709

Dear Mr. Mills:

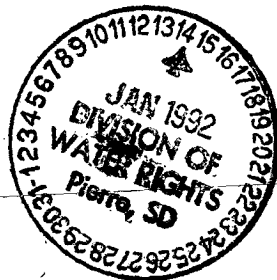
Pursuant to a qualification on Water Permit/Right No(s). 2165-2, we are requesting that the The New Underwood Land Partners report to the Chief Engineer the amount of water withdrawn for the year 1991. Please respond by February 10, 1992.

If you have any questions concerning this or other water rights questions, please contact Don Frye, Natural Resources Analyst, (605) 773-3352.

Very truly yours,

Ron Duvall,
Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

January 13, 1992



Ron Duvall
Natural Resources Engineer
Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Dear Ron:

Re: New Underwood Land Partners Water Permit/ 2165-2

This letter is in response to your letter dated 1-7-92 regarding our water usage for maintaining our lake level.

We turned the pump on to the lake 5-1-91 through 6-1-91. We had significant rain during that period. We then diverted water to the lake from 7-15-91 thru 11-1-91. We estimate with any luck we won't have to pump to maintain the lake until May or June of 1992.

This diversion equates to about 139 days of pumping not counting the small domestic use by the homes on the lake. At the pumping rate of 35 gallons per minute this well diverted approximately 7,005,600 gallons or about 21.50 acre feet of water.

Please let me know when you can come out and see our project.

Sincerely,

-Timothy M. Mills

Box 8134
Rapid City, SD 57709



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 23, 1992

Tim Mills
The New Underwood Land Partners
P.O. Box 8134
Rapid City SD 57709

Dear Mr. Mills:

Pursuant to a qualification on Water Permit/Right No(s). 2165-2, I am requesting that the The New Underwood Land Partners report the amount of water diverted under the permit(s) during 1992. Please respond by January 15, 1993.

If you have any questions concerning this or other water rights questions, please contact Barry McLaury, Natural Resources Analyst, (605) 773-3352.

Very truly yours,

RON DUVALL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

2165-2



January 7, 1993

John Hatch - Chief Engineer
Water Rights Division - DNR
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

RE: WATER PERMIT/RIGHT NO. 2165-2

Dear Mr. Hatch:

Pursuant to the request made by Mr. Ron Duvall, of your office, dated December 23, 1992, I am supplying the water usage diverted by the New Underwood Land Partners under the above permit number. The total usage for 1992 was 6,135,902 gallons or 18.8304 acre-feet.

If you have any questions concerning the above information please feel free to contact me during working hours at the following telephone number (307)682-3410.

Sincerely,

Ken Wrede

Ken Wrede
Treasurer - New Underwood
Land Partners

cc: Tim Mills, Dennis Mills



2165-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1994

Tim Mills
The New Underwood Land Partners
P.O. Box 8134
Rapid City, SD 57709

Dear Mr. Mills:

Pursuant to a qualification on Water Permit/Right No. 2165-2, I am requesting that The New Underwood Land Partners report the total amount of water diverted from the Inyan Kara Formation during 1993. Please respond by January 31, 1994.

If you have any questions concerning this or other water rights questions, please contact Barry McLaury, Natural Resources Analyst, (605) 773-3352.

Sincerely,

RON DUVALL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

2165-2

PIPER JAFFRAY

Tim M. Mills



Piper Jaffray Inc.
726 St. Joseph St.
Rapid City, SD 57701

605 343-4155
1 800 658-2228

Dear Ron -

We pumped approximately
1,296,000 gallons in 1993. This
equates to about 3.967 acre/ft.

Because of the enormous run-off from
snow and rain, we needed minimal
water. We appreciate all your
past help and wish you a good
new year.

Tim

Understanding you comes first
at Piper Jaffray

and Mills



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 1997

2165-2

New Underwood Land Partners
%Tim Mills
4714 Cliff Drive
Rapid City, SD 57702

Dear Mr. Mills:

The investigation of your water use system was conducted on September 9, 1997, by Eric Gronlund, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 2165-2. 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.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

Cheryl F. Frost
Secretary
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.

RECEIPT

415518

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ November 5, 19 97

RECEIVED OF Tim Mills (New Underwood Land Partners), 4714 Cliff Dr., Rapid City, SD 57702-6816

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. <u>2165-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch Chief Engineer

Permit Nos. 2097-2 and 2165-2
Upper Cheyenne River - 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 9, 1997, I made a thorough examination of the water use system constructed by New Underwood Land Partners, c/o Tim Mills, 4714 Cliff Drive, Rapid City, SD 57702 holder of Permit Nos. 2097-2 and 2165-2, bearing the priority of August 16, 1989 and February 19, 1991 (respectively) authorizing the diversion of 0.07 cu. ft. per second (31 gpm) of the Inyan Kara Formation for #commercial, suburban housing development, domestic and recreational purposes, in Pennington County.

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

A. Works used to divert the water:

A 2,800 foot deep Inyan Kara Formation well with a 7 1/2 HP Grundfos pump set at approximately 400 feet

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

Water from well diverted into a 100 gallon pressure tank for domestic/suburban housing development use or to pipeline which flows to lake

C. Works used to apply water to beneficial use:

One home uses well for household uses, 4 homes use for watering of trees & lawn(they buy water from local dairies for drinking water), water used to supply hydrants and water is diverted to lake to maintain level of lake when needed.

The system is in the following condition good. The point of diversion is located approximately 120 feet south and 40 feet west of the NE corner (NE1/4 NE1/4) Section 26, T2N, R10E. The works are capable of diverting and conveying to the place of use 0.07 cu. ft. per second of water is being used for domestic, suburban housing development and recreational purposes. Water has been put to beneficial use and the license should be issued for 0.07 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none


Eric S. Gronlund
Natural Resources Engineer
DENR, Water Rights Program

10/27/97
Date

REPORT ON INSPECTION OF PERMIT NO. 2097-2 and 2165-2

DATE OF INSPECTION: September 9, 1997

Other permit(s) associated with the project: 1983-2 and 1983A-2 are indirectly associated - the well may be used to maintain the lake

Contact Person & Address: Tim Mills, 4714 Cliff Drive, Rapid City, SD 57702

DIVERSION POINT LEGAL LOCATION: approximately 120 feet south and 40 feet west of the NE corner (NE1/4 NE1/4) Section 26, T2N, R10E

WATER SUPPLY Source: Inyan Kara Formation

Well Information:

- | | |
|--|-------------------------------------|
| 1) Well Drilling Firm: <u>Dennis Johnson</u> | 2) No. of Wells <u>one</u> |
| 3) Depth(s) <u>approx. 2868</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|---------------------------------------|--|
| 1) Diameter <u>5 and 2 1/2</u> inches | 2) Length <u>5" - 0 to 900 & 2 1/2" - 900 to 2868</u> feet |
| 3) Type <u>steel</u> | |

Screen:

- | | |
|---|---|
| 1) Type <u>2 1/2 ID perforated pipe</u> | 2) Length <u>from 2598 to 2735</u> feet |
| 3) Static water level <u>350</u> feet | |

Pump: submersible set at approx. 400 feet

- | | |
|-------------------------|-------------------|
| 1) Make <u>Grundfos</u> | 2) Model # |
| 3) Size # | 4) Capacity # GPM |

Motor:

- | | |
|--------------------------------------|----------------|
| 1) Make # | 2) Model No. # |
| 3) Horsepower rating <u>7 1/2</u> hp | |

DISTRIBUTION LINES OR CANALS:

- 1) Type # 2) Size # inches 3) Length # feet

DAM INFORMATION: see Water Right Nos. 1983-2 and 1983A-2 for specific information

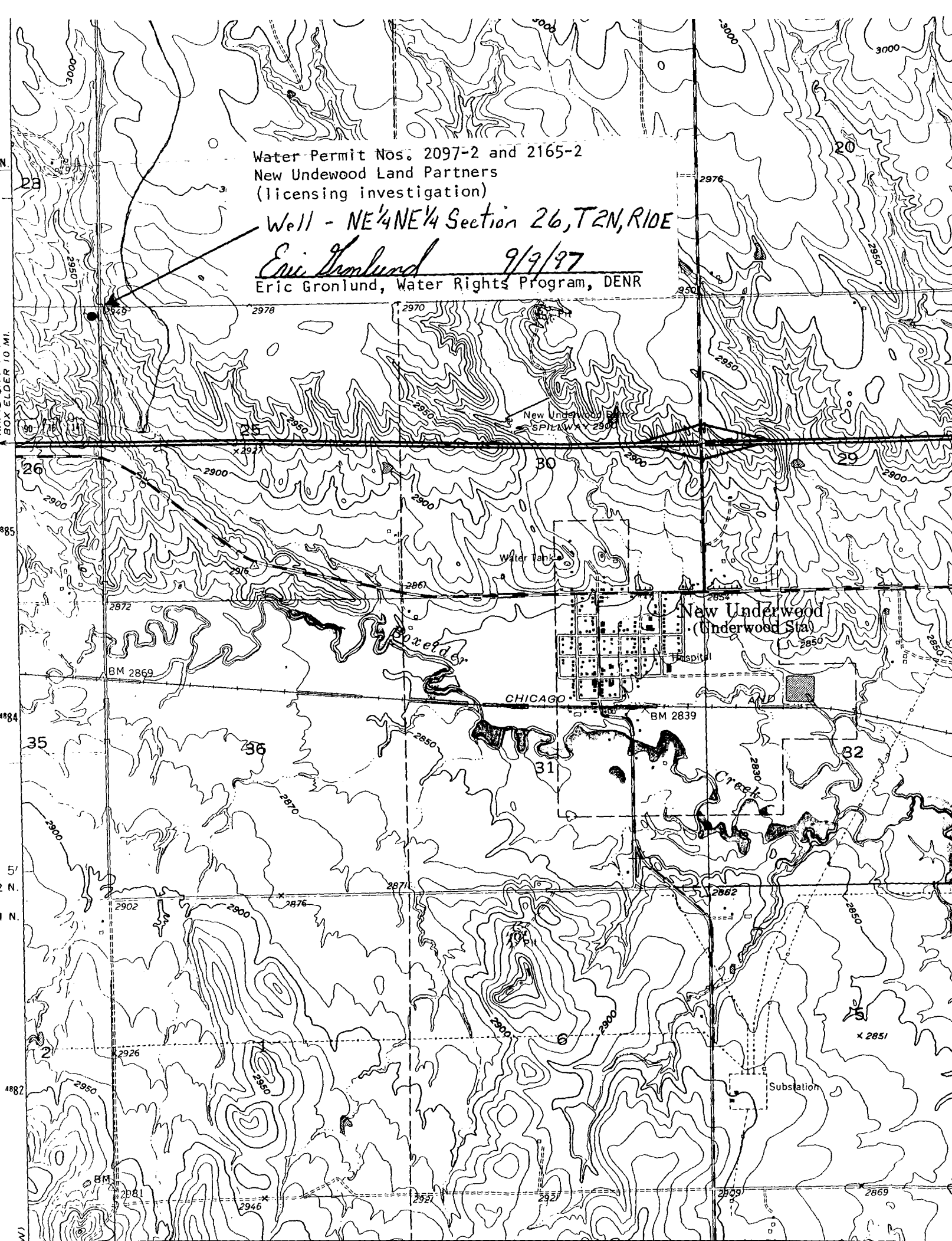
PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
 - checked and they reported amount withdrawn from well in 1996
 - during licensing investigation inquired about qualification No. 2 and Mr. Mills was aware of qualification and stated that they adhere to it
- 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

Water Permit Nos. 2097-2 and 2165-2
New Underwood Land Partners
(licensing investigation)

Well - NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26, T2N, R10E

Eric Gronlund 9/9/97
Eric Gronlund, Water Rights Program, DENR



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2165-2

(1) New Underwood Land Partners, c/o Tim Mills, 4714 Cliff Drive, Rapid City SD 57702 made Application No. 2165-2, February 19, 1991 for a water permit to increase the volume of water used on a yearly basis from groundwater (one well), Pennington County, South Dakota for commercial, suburban housing development, domestic and recreational purposes. Permit No. 2165-2, with a priority date of February 19, 1991 was approved May 1, 1991 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.

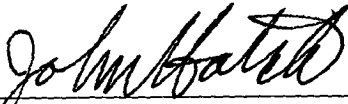
Water Permit No. 2097-2 with a priority date of August 16, 1989 authorized 0.07 cubic feet of water per second from one well for domestic and suburban housing development. Water Permit No. 2165-2 with a priority date of February 19, 1991 allowed maintaining the lake level of the dam for commercial and recreational purposes. Impoundment of water in the dam is authorized by partial Vested Water Right No. 1983A-2.

The applicable portions of Water Permit No. 2097-2 are incorporated into Water License No. 2165-2.

(2) It is certified that the applicant 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 0.07 cubic feet of water per second for beneficial use. The location of the diversion point is 120 feet south and 40 feet west of the northeast corner of Section 26-T2N-R10E (NE 1/4 NE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 New Underwood Land Partners, c/o Tim Mills, 4714 Cliff Drive, Rapid City SD 57702 the holder and/or owner of Incorporated Water Permit No. 2165-2 is issued a license to appropriate water, the right to use 0.07 cubic feet of water per second from groundwater (one well) with priority dates of August 16, 1989 and February 19, 1991 from the location specified in (2) of this license for commercial, suburban housing development, domestic and recreational use. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 2165-2 and subject to South Dakota State Law.



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

FEB 27 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 27 1998

2165-2

New Underwood Land Partners
%Tim Mills
4714 Cliff Drive
Rapid City, SD 57702

Dear Mr. Mills:

Enclosed is Water License No. 2165-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415518 in the amount of \$50.00 which you paid for the 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. 2165-2, 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,

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

ks
enclosures

NOTE: The applicable portions of Water Permit No. 2097-2 are incorporated into Water License No. 2165-2.

January 17, 2001

2000 South Dakota Water Use Questionnaire

To:

NEW UNDERWOOD LAND PTRS
4714 CLIFF DR
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. 2165-2. 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: INYAN KARA GROUP
Management Unit: NOT APPLICABLE

County: PENNINGTON
Pumping Pt. Legal: SEC 26-T002N-R10E
Type of Water Use: COMMERCIAL

- 1) Please estimate your year 2000 water use from the above water source: +3 Acre/ft gallons
2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments:

NEW NAME AND ADDRESS AND TAX I.D. #
TIGHTLINE Lake Partnership, LLP
Tax ID 46-0450836
P.O. BOX 8222
Rapid City SD 57702

Contact Person:

Tim M. Mills

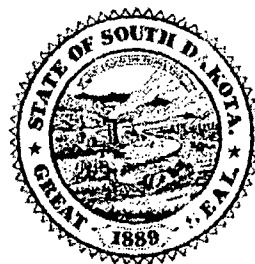
Telephone No:

800-839-9357

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

Thank you for completing the 2000 water use questionnaire.

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





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2001

2165-2

Tim Mills
Tightline Lake Partnership LLP
PO Box 8222
Rapid City, SD 57709

Dear Mr. Mills:

Enclosed, as you discussed with Ron Duvall, is a partially completed "Notice of Transfer of Ownership" form for transferring Water Right No. 2165-2.

Please review the form and complete as needed. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,


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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 2165-2

Date: 2-13-2001

I/We request that Water Right No. 2165-2

formerly owned by: New Underwood Land Partners

be transferred to: (name & address) TIGHTLINE Lake Partnership, LLP
P.O. Box 8222 Rapid City SD 57709-8222 Telephone No. 605-342-6798

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

diversion point location: NE 1/4 NE 1/4 Section 26, T2N, R10E

I/We understand that the validity of Water Right No. 2165-2 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.

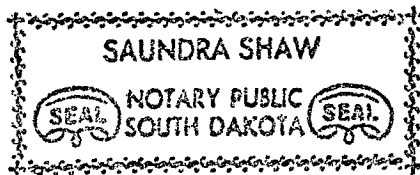
STATE OF SOUTH DAKOTA)

County of Pennington)

I/We [Signature] 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.

[Signature] Managing Partner
(Signature of new owner)

Subscribed and sworn to before me this 12th day of February, 2001.



[Signature]
(Notary Public)
My Commission Expires: 3/13/01

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

N^o 416767

Pierre, February 13, 2001

RECEIVED OF Tightline Lake Partnership, PO Box 8222, Rapid City, SD 57709
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 2165-2

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Darland Erbele
Chief Engineer

gmw



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 14, 2001

2165-2
1983A-2

Tim Mills
Tightline Lake Partnership, LLP
PO Box 8222
Rapid City SD 57709-8222

Dear Mr. Mills:

Thank you for following up on the ownership change for Water Right No. 2165-2. The transfer has been completed and No. 2165-2 is now listed in the name of Tightline Lake Partnership, LLP.

Enclosed is your Receipt No. 416767 in the amount of \$2.50. You may keep this for your records.

Also enclosed is another partially completed "Notice of Transfer of Ownership" form for filing the ownership change with Partial Vested Water Right No. 1983A-2. Please review and complete as needed. A \$2.50 filing fee is required for filing transfer.

Thank you for your help and if I can answer any questions, please get in touch with me.

Sincerely,

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

enclosures

Schlaak, Karen

From: Tom Watson <tom.watson@blackhillstruss.com>
Sent: Monday, March 06, 2017 8:33 AM
To: Schlaak, Karen
Cc: Rodney Schaub; David Miller
Subject: RE: Tightline Lake Water Usage
Attachments: Articles of Incorporation 2.4.16.pdf

I just got off the phone with our secretary
 Water usage was 4.35 Million for 2016

You can send them to me, I will make sure it gets taken care off on our end.
 Sorry for the inconvenience

One other item, we have changed from Tightline Lake Partnership to Tightline Lake Estates Homeowners Association. I have attached our Articles of Incorporation

Tom Watson

From: Schlaak, Karen [<mailto:Karen.Schlaak@state.sd.us>]
Sent: Monday, March 06, 2017 7:24 AM
To: 'Tom Watson'
Subject: RE: Tightline Lake Water Usage

You are the contact person that I have listed, so the letter went to you. We have NOT received the water use for Tightline Lake Partnership LLP. Who is the person I should be contacting?

Karen Schlaak
 SD DENR, Water Rights Program
 (605) 773-3352



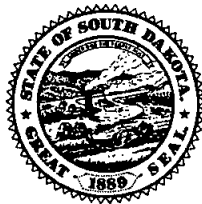
From: Tom Watson [<mailto:tom.watson@blackhillstruss.com>]
Sent: Monday, March 06, 2017 8:12 AM
To: Schlaak, Karen
Subject: Tightline Lake Water Usage

Karen, I received the second notice on the reporting of our water usage and wanted to verify that you received our numbers? We have made changes to our partnership and I am no longer the managing partner. I did however forward the request to our new president. Please let me know if you have not received those numbers.
 Thank you

Tom Watson
Design Manager
Black Hills Truss & Components
3139 Creek Drive
Rapid City, SD 57702

Office 605-721-1118
Cell 605-391-9630
Tom.Watson@blackhillstruss.com
www.blackhillstruss.com

State of South Dakota



OFFICE OF THE SECRETARY OF STATE

Certificate of Incorporation Domestic Nonprofit

ORGANIZATIONAL ID# NS049895

I, Shantel Krebs, Secretary of State of the State of South Dakota, hereby certify that the Articles of Incorporation of

TIGHTLINE LAKE ESTATES HOMEOWNERS ASSOCIATION, INC.

duly signed and verified, have been received in this office and are found to conform to law.

ACCORDINGLY, and by virtue of the authority vested in me by law, I hereby issue this Certificate of Incorporation and attach hereto a duplicate of the Articles of Incorporation.

IN TESTIMONY WHEREOF,
I have hereunto set my hand and
affixed the Great Seal of the
State of South Dakota, at Pierre,
the Capital, this 02/04/2016.



Shantel Krebs

Shantel Krebs
Secretary of State

2/5/2016 1:56:13 PM
Change ID: 1311713

Filed this 4th day of Feb 2016
Shantel Krebs
SECRETARY OF STATE

RECEIVED

FEB 04 2016

S.D. SEC. OF STATE

ARTICLES OF INCORPORATION
OF THE
TIGHTLINE LAKE ESTATES HOMEOWNERS ASSOCIATION, INC.

We, the undersigned, natural persons over the age of majority and residents of the State of South Dakota, acting as incorporators pursuant to the provisions of SDCL 47-22-5 and in accordance with SDCL 47-22-6, adopt the following Articles of Incorporation for said corporation:

Article 1

The name of the corporation is TIGHTLINE LAKE ESTATES HOMEOWNERS ASSOCIATION, INC.

Article 2

The period of its duration is perpetual.

Article 3

The purposes for which this corporation is organized are as follows:

- A. To enforce and administer the Declaration of Reservations and Restrictive Covenants and Conditions for Tightline Lake Estates Subdivision, located in New Underwood, Pennington County, South Dakota.
- B. To hold title to any property or property rights conveyed to it.
- C. To perform such other acts and functions as may be reasonable or necessary for the general benefit and welfare of the owners of the townhouse lots subject to the terms and conditions of this non-profit association.

Article 4

The corporation is to have one class of members and the qualification of membership shall be determined by the Board of Directors.

Article 5

The Directors shall be elected or appointed by the members.

Article 6

No income or asset of this corporation shall inure to the private benefit of any member and in the event that the assets are distributed on dissolution, no part of the assets shall inure to the private benefit of any member, but shall be distributed to another non-profit corporation whose purpose is similar to that set forth in Article 3 of these Articles.

Article 7

The address of the initial registered office of the corporation is 22740 Reride Lane, New Underwood, South Dakota 57761, and the name of its initial registered agent at such address is Thomas Watson.

Article 8

The number of Directors constituting the initial Board of Directors of the corporation is three (3) and the names and addresses of the persons who are to serve as Directors until the first annual meeting of members or until their successors are elected and shall qualify are:

Thomas Watson	22740 Reride Lane New Underwood, SD 57761
Bert C. Corwin	5048 Carriage Hills Drive Rapid City, SD 57702
Frank Schmid	8405 Blackbird Court Rapid City, SD 57702

Article 9

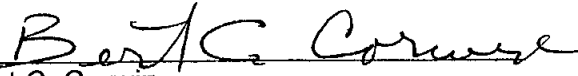
The Incorporators are as follows:

Thomas Watson	22740 Reride Lane New Underwood, SD 57761
Bert C. Corwin	5048 Carriage Hills Drive Rapid City, SD 57702
Frank Schmid	8405 Blackbird Court Rapid City, SD 57702

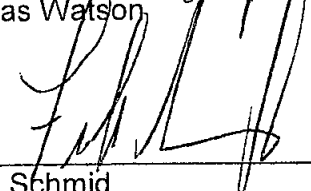
Dated this 29 day of January, 2016.



Thomas Watson



Bert C. Corwin



Frank Schmid

CONSENT OF APPOINTMENT BY THE REGISTERED AGENT

I, Thomas Watson, hereby give my consent to serve as the registered agent for
TIGHTLINE LAKE ESTATES HOMEOWNERS ASSOCIATION.

Dated this 29 day of January, 2016.



Thomas Watson



South Dakota Secretary of State
SHANTEL KREBS

Return To: DEMERSSEMAN JENSEN TELLINGHUISEN & HUFFMAN LLP/RICHARD E HUFFMAN
PO BOX 1820
RAPID CITY, SD 57709

From: Secretary of State Shantel Krebs
Corporations Division

Filing Date: 02/04/2016

Re: TIGHTLINE LAKE ESTATES HOMEOWNERS ASSOCIATION, INC. (NS049895)
Articles of Incorporation

The documents on behalf of TIGHTLINE LAKE ESTATES HOMEOWNERS ASSOCIATION, INC. have been received and filed. Attached is the Certificate along with a receipt for the filing fee of \$30.00. Below is a summary of the transaction.

Remitter	Address	Amount Paid
DEMERSSEMAN JENSEN TELLINGHUISEN & HUFFMAN LLP	PO BOX 1820 RAPID CITY, SD 57709	\$30.00
Total:		\$30.00

Description	Invoice Date	Qty	Receipt #	Subtotal
Articles of Incorporation	02/05/2016	1	380664	\$30.00
Total:				\$30.00

DEMERSSEMAN JENSEN

FEB 08 2016

**TELLINGHUISEN & HUFFMAN
LAWYERS**

SOUTH DAKOTA STATE CAPITOL • 500 E. CAPITOL AVE. • PIERRE, SD 57501

www.SDSOS.gov • phone 605 773 3537 • corporations 605 773 4845 • fax 605 773 6580

sdsos@state.sd.us • Twitter @SOSKrebs

2016

ANNUAL REPORT

DOMESTIC LLP

SDCL 48-7A-1003

Enter Filing Year

Secretary of State Office
500 E Capitol Ave
Pierre, SD 57501
(605)773-4845

Please Type or Print Clearly In Ink

FILING FEE: \$50.00 Make check payable to SECRETARY OF STATE

FILE DATE 12/17/2015

RECEIPT NO 360750

1. L.L.P. ID and Name:

DR000341

TIGHTLINE LAKE PARTNERSHIP, LLP

2. The jurisdiction under whose law it is formed SOUTH DAKOTA

3. The address of the principal or chief executive office.

22740 RERIDE LANE	NEW UNDERWOOD	SD	57761-6135
-------------------	---------------	----	------------

Actual Street Address or Rural Route Box Number	City	State	ZIP+4
---	------	-------	-------

Mailing Address, if Different from Street Address	City	State	ZIP+4
---	------	-------	-------

4. The name of the South Dakota Registered Agent

Agent Name:

22740 RERIDE LANE	NEW UNDERWOOD	SD	57761-6135
-------------------	---------------	----	------------

Actual Street Address or Rural Route Box Number in This State	City	State	ZIP+4
---	------	-------	-------

Mailing Address in This State, if Different from Street Address	City	State	ZIP+4
---	------	-------	-------

5. The names and business addresses of its partners.

☐ BERT & LYDIA CORWIN	5048 CARRIAGE HILLS DRIVE	RAPID CITY	SD	57702
Partner	Actual Street Address	City	State	ZIP+4

☐ STEVE & LYNN ECKRICH	4400 RED ROCK RANCH ROAD	RAPID CITY	SD	57702
Partner	Actual Street Address	City	State	ZIP+4

☐ FRANK & BONNIE SCHMID	8405 BLACKBIRD COURT	RAPID CITY	SD	57702
Partner	Actual Street Address	City	State	ZIP+4

☐ RICHARD & MARSHA SCHMID	1300 JUNCTION STREET	STURGIS	SD	57785
Partner	Actual Street Address	City	State	ZIP+4

☐	THOMAS & TYLER WATSON	5742 S IROQUOIS LOOP	FORT MOHAVE	AZ	86426
	Partner	Actual Street Address	City	State	ZIP+4
☐	RODNEY & RACHEAL SCHAUB	2130 DYESS	RAPID CITY	SD	57701
	Partner	Actual Street Address	City	State	ZIP+4

No person may execute this report knowing it is false in any material aspect. Any violation is subject to a civil penalty.

Dated

Signature Accepted Electronically

(Signature of an Authorized Person)

THOMAS WATSON

(Printed Name)

*By signing this form you agree to have both the fee and the form processed electronically.
A fee of up to \$40 will be assessed for returned payments.

12/17/2015 10:45:33 AM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 6, 2017

No. 2165-2

Tom Watson
Tightline Lake Partnership LLP
22740 Reride Lane
New Underwood SD 57761

Dear Mr. Watson:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 2165-2. The water right is currently listed in the name of Tightline Lake Partnership LLP.

The transfer form should be checked over for accuracy and **signed by the new owner**. Upon completion, return the form to our office with a required filing fee of \$50.00.

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,

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

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/13, 20 17

RECEIVED OF Tightline Lake Estates Homeowners Assn Inc 22740 Reride Ln New Underwood

SD 57761

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	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 <u>2165-2</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	50 00

No. **08192**

By *Jaime Goodman*
Chief Engineer

RECEIVED

MAR 13 2017

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2165-2

Date: March 6, 2017

I/We request that Water Right/Permit No. 2165-2

formerly owned by: Tightline Lake Partnership LLP

be transferred to: (name & address) Tightline Lake Estates Homeowners Association
22740 Reride Lane, New Underwood SD 57761

Telephone No. 605-391-9630

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

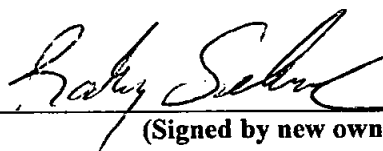
Diversion point location: NE 1/4 NE 1/4 Section 26-T2N-R10E

I/We understand that the validity of Water Right/Permit No. 2165-2 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 Fifty Dollars (\$50.00) 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 Rodney Schaub, President Tightline, the new owner, certify that the above information is true and Lake Estates Homeowners Assoc. correct.



(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.



2165-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 28, 2017

2165-2
1983A-2

Rodney Schaub, President
Tightline Lake Estates Homeowners Association
22740 Reride Lane
New Underwood SD 57761

Dear Mr. Schaub:

I am writing to acknowledge receipt of the transfer form and filing fee submitted by the Association for transferring Water Right No. 2165-2. The ownership change has been completed. Water Right No. 2165-2, formerly listed in the name of "*Tightline Lake Partnership LLP*" is now listed in the name of "*Tightline Lake Estates Homeowners Association*".

Upon processing the ownership change for No. 2165-2, a second water right was found which also involves the development. Partial Vested Water Right No. 1983A-2 authorizes storage of 60 acre feet of water in a dry draw storage dam (copy enclosed). No. 2165-2 was obtained in 1991 authorizing diversion of water from an Inyan Kara Well to maintain the level of the dam authorized under No. 1983A-2.

Partial Vested Water Right No. 1983A-2 should also be transferred to the homeowners association. Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

Enclosed for your records is Receipt No. 08192 in the amount of \$50 which you paid for filing the ownership change on Water Right No. 2165-2. If you have any questions concerning the ownership change needed for No. 1983A-2, please let me know.

Thank you in advance for following up on the ownership change. I apologize for not catching the need for the second ownership change during our initial communication.

Sincerely,

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

enclosures: Receipt No. 08192, copy of Partial Vested Water Right No. 1983A-2, transfer form, postage paid envelope