

1. Considered April 8, 1959 Appl. No. 523-2
2. Name of Applicant Ralph B. Morris
3. Post Office Address Wheel Inn, Rapid City, S. Dak.
4. Amount of water claimed 0.716 afs
5. Source of water supply ground water and springs
6. Water to be used for irrigation, fish ponds, and use in
Acres to be irrigated 23 cabins and Inn.
7. Water to be diverted and used in Pennington County about
12-13 miles Southwest of Wheel Inn
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to ☐
Not approved ☐
Action deferred ☐
10. Remarks:

16-00

0.066 afs. from ground
water is a "Vested Right"
from the land

No. 223-2

Water Division No. 2 Rapid Creek District
(Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT To appropriate Water within the State of South Dakota

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Ralph H. Morris
Wheel Inn
Postoffice address Rapid City, County Pennington, State So. Dak.

- I. If a corporation
- (a) Name of same
 - (b) Date and place of incorporation
 - (c) Amount of capital stock
 - (d) Amount paid in
 - (e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
Some completed and rest self employed

(b) Cash on hand, \$ Adequate (c) Treasury stock, \$
(d) Bonds to be issued, \$ (e) Other resources, \$

2. Name of diversion work Morris Ranch and Wheel Inn
3. Amount of water claimed Irrigation 0.32' cfs
Fish ponds 0.33' cfs (growing water only)
4. Source of water supply cabins & Inn 0.066' cfs
SPRINGS, ground water, and waste water
5. Location of point of diversion T18, R5E, Sec. 2 & 3, Saxon Placer #1250 (see attached map)
on bank Irrigation Apr. 1 to Sept. 1 County.
6. Annual period or periods during which water is to be used Fish ponds, cabins & Inn continuously
7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? combination

(a) Number of acres to be irrigated 23 acres.

(b) Legal subdivisions to be irrigated

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction, with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) commercial fish ponds, cabins, lodge, and fire protection

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use
Name any of the above uses claimed

(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

Map No. 208-2

8. Estimated cost of work:

(a) Head Gates, \$-----

(c) Fluming, \$-----

(e) Other structures dam & ditches \$ 500-----

(b) Pumping plants \$ 2025-----
Rock, \$ completed
Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

dam, ditch, flume or tile

II. Dimensions of works:

(a) Dam: Height 3 feet; length at bottom 20 feet; length at top 20 feet; thickness at bottom 6 feet; thickness at top 2 feet; slope at front water face 3 to 1; slope at back face 1 1/2 to 1; material used in construction earth (clay)

(b) Reservoir: Capacity when filled 1 1/2 acre feet. Surface area at highwater mark 7/4 acres.

DEPTH AT OUTLET- FEET	SURFACE AREA AT EACH DEPTH AT OUTLET- ACRES	FEET	ACRE- FEET CAPACITY

(c)* Head gate: Width-----feet; height-----feet;
Material-----

(d) Canal: Total length-----miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- years.

11. Time required for complete application of water to the proposed beneficial use 2 years.

12. Choice of newspaper for publication of notice of Intention to appropriate Gate City Guide
Rapid City, S. Dak.

STATE OF SOUTH DAKOTA

County of Augusta

ss.

I, Ralph M. Morris, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Ralph M. Morris

Subscribed and sworn to before me this

day of

March

1957

Notary Public (or other qualified officer.)

OWNER - RALPH N. MORRIS

REGISTERED LAND SURVEYOR

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____, 19__.

RECEIVED
JUN 11 1959
STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

Map No. 508-2 (Appl. No. 523-2)

Remarks by State Water Resources Commission:

A "Vested Right" is claimed for 0.066 cubic feet per second from ground water, 0.15 cfs. dating from 1939, 0.06 cfs. from 1943, 0.15 cfs. from 1944, and 0.30 cfs. from 1948. A priority of March 4, 1959 is granted for 0.32 cfs. from a spring and 0.33 cfs. from ground water.

STATE OF SOUTH DAKOTA

County of Hughes ss.

Pierre, South Dakota, March 6, 1959

This is to certify that the foregoing application was received by the Commission at 2:10 o'clock P.m. upon the 4 day of March, 1959

State Water Resources Commission

By:

J. W. Brinner

Chief Engineer, Executive Officer

Number of permit 523-2

Date of first receipt of application March 4, 1959

Date of return to applicant for correction, amendments or changes required as follows: —, 19—

Date of receipt of corrected application —, 19—

Date from which applicant may claim right See Remarks, 19—

Approved April 8, 1959, Recorded in Book 5 Page 150

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before October 8, 1960

2nd. The whole of said work is to be completed on or before April 8, 1962

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is April 8, 1964

4th. The water appropriated shall be used for the purpose of irrigation, commercial fish ponds, business, and fire protection uses

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 0.716 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before April 8, 1964; said water to be used during the following described annual period:

Continuously

Witness my hand this 15 day of May, 1959

State Water Resources Commission

By:

J. W. Brinner

Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 2, 1971

Water License Issued NOVEMBER 2, 1971

Well No. 5
Drilled 1949

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 6 in. Depth 73 ft.

Type of casing 6 in.
(wood, concrete, steel, etc.)

Size of casing 6 in. Thickness of casing 18 gauge galv.
(balance of hole, rock)

Length of casing 15 ft. If collector gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen

Size of perforated screen
(diameter) (length)

Thickness of gravel pack length of gravel pack

(c) Water Bearing Materials

Distance to water 24 ft. Character of water bearing materials figures in
schist formation

Thickness of water bearing material 20 ft.

(d) Pump and Motor

Type of pump jet
(centrifugal, propeller, mixed flow, etc.)

Name of pump Homart size 1 1/2, 350 gph

Kind of motor electric
(gasoline, electric, diesel, etc.)

Horsepower 3/4 Name of Motor Homart

(e) Complete well

Capacity 500 gph at drawdown of 30 ft. Estimated cost \$ 600

(f) Owner of land upon which well is located Ralph H. and Margaret T. Morris
Name

Wheel Inn, Rapid City, So. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property 300 ft. rods. On property owned by others 2 mi. rods

Well No. 4
Drilled 1939

3. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 6 in. Depth 63 ft.

Type of casing 6 in. (wood, concrete, steel, etc.)

Size of casing 6 in. Thickness of casing 18 gauge galv.
(balance of hole, rock)

Length of casing 10 ft. If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen

Size of perforated screen (diameter) (length)

Thickness of gravel pack length of gravel pack

(c) Water Bearing Materials

Distance to water 30 ft. Character of water bearing materials fissures in schist formation

Thickness of water bearing material 6 ft.

(d) Pump and Motor

Type of pump jet (centrifugal, propeller, mixed flow, etc.)

Name of pump Homart size 1 1/2, 350 gph

Kind of motor electric (gasoline, electric, diesel, etc.)

Horsepower 3/4 Name of Motor Homart

(e) Complete well

Capacity 500 gph at drawdown of 20 ft. Estimated cost \$400

(f) Owner of land upon which well is located Ralph H. and Margaret T. Morris
Name

Wheel Inn, Rapid City, So. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property 350 ft. rods. On property owned by others 2 mi. rods

Well No. 3
Drilled 1943

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 5 in., Depth 33 ft.

Type of casing 12 gauge galvanized
(wood, concrete, steel, etc.)

Size of casing 4 in. Thickness of casing 12 gauge
(remainder of hole, rock)

Length of casing 10 ft. If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen

Size of perforated screen (diameter) (length)

Thickness of gravel pack length of gravel pack

(c) Water Bearing Materials

Distance to water 22 ft. Character of water bearing materials fissures in
..... schist formation

Thickness of water bearing material 2 ft.

(d) Pump and Motor

Type of pump Hand pump
(centrifugal, propeller, mixed flow, etc.)

No. of pump Demming size 1 1/2 - 120 gph

Kind of motor
(gasoline, electric, diesel, etc.)

Horsepower Name of Motor

(e) Complete well

Capacity 50 gph ^{Continuous Pumping} at drawdown of 8 ft. Estimated cost \$250

(f) Owner of land upon which well is located Ralph H. and Margaret T. Morris
Name

Wheel Inn, Rapid City, So. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property 200 ft. rods. On property owned by others 2 mi. rods

Well No. 2

Drilled 1943

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 8 in., Depth 30 ft.

Type of casing 6 in. steel
(wood, concrete, steel, etc.)

Size of casing 6 in., Thickness of casing 3/16

Length of casing 28 ft. If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen

Size of perforated screen
(diameter) (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water 20 ft. Character of water bearing materials gravel

Thickness of water bearing material 2 ft.

(d) Pump and Motor

Type of pump jet
(centrifugal, propeller, mixed flow, etc.)

Name of pump Homart , size 1 1/2, 330 gal. per hr.

Kind of motor electric
(gasoline, electric, diesel, etc.)

Horsepower 3/4 , Name of Motor Homart

(e) Complete well .

Capacity 500 gph at drawdown of 8 ft. Estimated cost \$ 400

(f) Owner of land upon which well is located Ralph N. and Margaret T. Morris
Name

..... Wheel Inn, Rapid City, So. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property 200 ft. rods. On property owned by others 2 mi. rods

Form 2A -- Wells (Supplement to Form 2)

Well No. 1
Drilled 1944

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 8 in., Depth 44 ft.

Type of casing 6 in. steel
(wood, concrete, steel, etc.)

Size of casing 6 in., Thickness of casing 3/16

Length of casing 44 ft. If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen

Size of perforated screen (diameter) (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water 20 ft. Character of water bearing materials . gravel

Thickness of water bearing material 20 ft.

(d) Pump and Motor

Type of pump jet (centrifugal, propeller, mixed flow, etc.)

Name of pump Homart , size 1 1/2, 330 gal. per hr.

Kind of motor electric (gasoline, electric, diesel, etc.)

Horsepower 3/4 , Name of Motor Homart

(e) Complete well

Capacity 500 Gph at drawdown of 20 ft. Estimated cost \$250 plus \$125

(f) Owner of land upon which well is located Ralph N. and Margaret T. Morris
Name

Wheel Inn, Rapid City, S.D. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property 400 ft. rods. On property owned by others 2 mi. rods

Permit No. 523-2Water Diversion No. 2 RAPID CREEK Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Ralph N. Morris

_____ the holder _____ of
Permit No. 523-2, issued upon Application No. 523-2, bearing date of priority of 1939, 1943, 1944
and 1948 authorizing the diversion of .53 cu. ft. per second of the waters of ground
water, springs & Horse Creek county of Pennington, State of South Dakota at
Well #1, S. 35° 05' E, 3120 feet, #2-S. 29° 05' E, 2845 feet; #3-S. 28° 18' E, 3035 feet;
#4-S. 21° 55' E, 3025 feet; #5-S. 17° 45' E, 2835 feet, all from the NW Corner
of Sec. 2, T18, R5E, for Commercial

purposes, has a complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use .53 cu. ft. per second of water.

Date November 2, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

VESTED RIGHT
WATER LICENSE NO. 523-2

(1) WHEREAS, On the 4th day of March A. D. 1959
Ralph N. Morris, Wheel Inn, Rapid City, South Dakota

made Water Right Application No. 523-2 for a permit to use 0.716 cubic feet per second of the waters of ground water, springs and Horse Creek (Part Vested Right & part New Application)
 County of Pennington, State of South Dakota, for Commercial

_____ purposes and
 (2) WHEREAS, On the 15th day of May A. D. 1959
 Permit No. 523-2 with a date of priority of 1939, 1943, 1944 and 1948 and March 4, 1959
 was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 8th day of April A. D. 1962 and or the application to beneficial use of said water on or before the 8th day of April A. D. 1964

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert .0534 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

Well No.	Depth	Diversion Rate C.F.S.	Priority	Location from NW Corner, Sec. 2, T18, R5E
1	44'	.0124	1944	S. 35° 05' E., 3120 feet
2	30'	.0124	1948	S. 29° 05' E., 2845 feet
3	33'	.0038	1943	S. 28° 18' E., 3035 feet
4	63'	.0124	1939	S. 21° 55' E., 3025 feet
5	73'	.0124	1948	S. 17° 45' E., 2835 feet
Total c.f.s. =		.0534		

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Ralph N. Morris, Wheel Inn

_____ of Rapid City, South Dakota
the holder _____ and owner _____ of said permit No. 523-2 Vested Right
_____ to use of .0534 water right, dating from 1939, 1943, 1944, 1948
of _____ ground water _____ cubic feet per second of the waters

in the County of Pennington and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at Locations shown on face of this Water license

and conduct to ~~xxxxxx~~ the Wheel Inn Commercial Operation

~~xxxxxx~~ _____

Subject to any limitations listed in Water Right Permit No. 523-2 and subject to the laws of the State of South Dakota

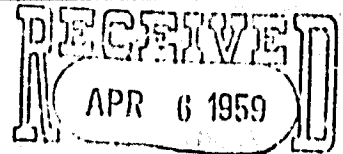
WITNESS, My hand and seal of our office at Pierre, South Dakota
this 2nd day of November _____ A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Office, J.V. GRIMS

PROOF OF PUBLICATION



STATE OF SOUTH DAKOTA }
County of Pennington } ss.

STATE WATER RESOURCES COMMI.
PIERRE SOUTH DAKOTA

Faye Crawford being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Gate City Guide a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the city of Rapid City County of Pennington and State of South Dakota; that the said notice was published in said newspaper on the following dates:

March 12, 1959
March 19, 1959
March 26, 1959
April 2, 1959

in each and every issue of the full number thereof, the first publication being made on the 12th day of March 1959 and the last publication on the 2nd day of April 1959, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Business Manager the printer and publisher of the said newspaper.

Faye Crawford

Subscribed and sworn to before me this 3rd day of April A. D. 1959

Thos. D. Womer

Notary Public Pennington County, S. D.

(First Publication before March 12, 1959)
APPROPRIATION OF WATER
Office of State Water Resources Comm.
Pierre, S. Dak., March 12, 1959
Notice is hereby given that Ralph N. Morris, whose post office address is Wheel Inn, Rapid City, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.716 cubic feet of water per second of time from ground water and springs through the Morris Ranch and Wheel Inn, 0.33 cubic feet per second from a spring is being claimed under a new application, 0.33 cubic feet per second from ground water is being claimed under a new application and 0.006 cubic feet per second from ground water is being claimed under an existing vested right. The point of diversion for the spring is to be located near the NW Cor. Sec. 2, T. 1 S., R. 10 W., B. 11 N. and seven (7) points of diversion for ground water are to be located as follows: one (1) in the NW 1/4 Sec. 2, T. 1 S., R. 10 W., B. 11 N. and one (1) in the NE 1/4 Sec. 2, T. 1 S., R. 10 W., B. 11 N. Said water to be used for the purpose of providing irrigation, as part of the following described land: Lot 10 and the NW 1/4 Sec. 2, T. 1 S., R. 10 W., B. 11 N. and for commercial fish pond, restaurant and hotel or cabin and fire protection purposes.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of April, 1959 at 2:00 p.m. All interested persons may appear and be heard.
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.
State Water Resources Commission
By: Leo Wyborny
Water Rights Engineer
Published March 12, 1959

(First Publication before March 13, 1959)
APPROPRIATION OF WATER

Office of State Water Resources Comm.

Pierre, S.Dak. March 13, 1959

Notice is hereby given that Ralph N. Morris whose postoffice address is Wheel Inn, Rapid City, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.716 cubic feet of water per second of time from ground water and springs through the Morris Ranch and Wheel Inn, 0.32 cubic feet per second from a spring is being claimed under a new application, 0.33 cubic feet per second from ground water is being claimed under a new application and 0.066 cubic feet per second from ground water is being claimed under an existing "Vested Right", the point of diversion for the spring is to be located near the NW Cor., Sec. 2, T 1 S, R 5 E, BHM and seven (7) points of diversion for ground water are to be located as follows, one (1) in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, five (5) in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and one (1) in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ all in Sec. 2, T 1 S, R 5 E, BHM. Said water to be used for the purpose of providing irrigation on parts of the following described land:

Lot 4 and the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, T 1 S, R 5 E and for commercial fish pond, restaurant, and hotel or cabin and fire protection purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of April, 1959 at 2:00 pm. All interested persons may appear and be heard.

2.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

BY;
Les Wyborny, Water Rights Engineer

Water Right No. 523-2

Ralph N. Morris

Mr. Morris was visited on May 17, 1971, regarding his water Permit No. 523-2.

In Water Right No. 523-2, Mr. Morris claims the following vested rights:

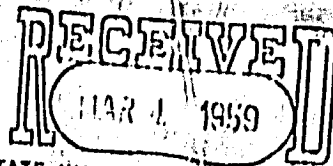
Well No. 1	.0124 c.f.s.	1944 priority
Well No. 2	.0124 c.f.s.	1948 priority
Well No. 3	.0038 c.f.s.	1943 priority
Well No. 4	.0124 c.f.s.	1939 priority
Well No. 5	<u>.0124 c.f.s.</u>	1948 priority
Total	.0534 c.f.s.	

Water Permit No. 523-2 also approved the irrigation of 23 acres of land and the construction of two commercial fish ponds to be filled, from a spring and Horse Creek. The irrigation system was not constructed. One fish pond was constructed in 1959 and abandoned in 1960.

Therefore the vested right portion of the permit only should be issued to Mr. Ralph N. Morris, Address, Box 147, Keystone Route, Rapid City, S.D.

Location No. 223-2

Water Division No. 2 Rapid Creek Water District



STATE WATER RESOURCES COM. S.D. SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Ralph H. Morris, Wheel Inn, Rapid City, So. Dakota
Resort Operator (Owner)

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. _____

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Ground water, same as on form 2A

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. See attached forms 2A. Agricultural Use. Collecting water for fish ponds #1 and #2 was constructed and used in 1948 but not used for four years. The diversion for irrigation located near the NW 1/4 Sec 2 will be new construction. Done.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Commercial use in cabina and Inn. All located on Saxon-Placer #1250 T1S, R5E, SEC. 2&3

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. See Attached Forms 2A

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. Well No. 1, constructed in 1944, pumped at 330 gph
Well No. 2, " " 1948, " " 330 gph
Well No. 3, " " 1945, " " 100 gph
Well No. 4, " " 1939, " " 330 gph
Well No. 5, " " 1948, " " 330 gph
All water used for cabins and lodge (sign) *Ralph D. Moore*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in *Sioux*, County of *Deuel*
State of South Dakota, on this *1st* day of *March* A. D. 19*47*

Witnesses: *J. E. Engstrom*
Arthur C. Brown

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Location No. _____	PROOF OF APPLICATION OF WATER TO BENEFICIAL USE	PETITION OF HOLDER	Amount of Water _____ c.f.s.	Source _____	County _____	Purpose _____	Place of Use _____	Date of recording _____	Received and filed _____
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**South Dakota Department of
Water & Natural Resources**

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

September 21, 1988

NOTICE

Ralph N. Morris
Wheel Inn
Box 147, Keystone Rt
Rapid City SD 57701

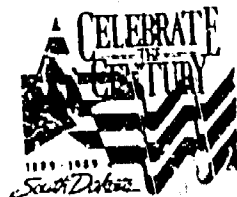
Dear Mr. Morris:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 523-8, until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

A staff member from the Division of Water Rights will be contacting you and scheduling an inspection of your water project. If we can answer any questions, please contact us.

Very truly yours,

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



SOUTH



Department of Water & Natural Resources

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

December 1, 1988

Vested Water Right
Claim No. 523-2

Ralph N. Morris
Wheel Inn
Box 147, Keystone Rt
Rapid City SD 57701

Dear Mr. Norris:

Enclosed is a copy of a letter received from the U.S. Department of Interior, Bureau of Reclamation. The Bureau of Reclamation is opposing those vested water right claims in Pennington, Perkins, Butte and Fall River counties which have never been investigated by the Division of Water Rights. Earlier, you received a letter stating that I was opposing your claim until an investigation can be completed.

After the investigation has been completed, you and the Bureau of Reclamation will be notified as to the date, place and time of the hearing on your vested water right claim. At that time all parties of record will have an opportunity to testify on the validation.

If we can answer any questions, please contact us.

Very truly yours,

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

cc: Bruce Laynon, Bureau of Reclamation



File No. 523-2

Water Rights Division -DW:R
Conversation or File Documentation

NAME OF PERSON OR FILE: Bill Beaudett, Horse Creek Inn

ADDRESS: Hwy 385 & Sheridan Rd., Hill City SD 57745

COUNTY: Pennington

DATE: 10/29/90

TELEPHONE: 574-2908

RE: Vested Right Claim Inspection

COMMENTS: On October 25, 1990, accompanied by Mr. Bill Beaudette, I inspected Vested Right Claim No. 523-2. The claim is for five wells, two fish ponds from springs and one dam on Horse Creek. Three of the wells (Wells Nos. 1, 2, and 4) were being used (see the original map for location of the wells). Well No. 1 had accidentally been contaminated. Mr. Beaudette stated that he would clean up the well and use it in a near future. Well No. 3 was not being used any more. The dams look more like ponds than dams. The owner stated that the dams are only used for aesthetic purposes and not for water use.

** It is recommended that Vested Right Claim No. 523-2 be validated for 0.0496 cfs (0.0534-0.0038).

*** Transfer forms should be sent to Mr. Seaudette for transfer of the claim.

M24hadi

M. RASSOOL AHADI

Natural Resources Engineer II

DWNR, Water Rights Division

Rassool's recommendation is the claim be validated for 0.0496 cfs. Permit should be validated for wells # 1, 2 & 4 which add up to 0.037 cfs. In Rassool's calculations he added well #5 which has been abandoned along with well #3.

Karen Schlack



523-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 9, 1992

523-2

Bill Beaudette
Horse Creek Inn
HC 33 Box 2800
Rapid City, SD 57702

Dear Mr. Beaudette:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Vested Water Right Claim No. 523-2. The claim is currently listed in the name of Ralph Morris, dba Wheel Inn.

The transfer form should be checked over for accuracy and signed in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-20.3 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,

Genny McMath
Natural Resources Analyst
(605) 773-2352

enclosure

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

413389

Pierre, August 25, 1992

RECEIVED OF William C Beaudette, Horse Creek Campground, LC 35 Box 2800, Rapid City, SD
the following amount in fees for services rendered as provided for by law: 57702

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 <u>Wested Water Right Claim No. 523-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John H. H. H. H.
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 523-2

Date: July 16 '92

I\We request that Vested Water Right Claim No. 523-2

formerly owned by: Ralph Morris, dba Wheel Inn

be transferred to: (name & address) William C Beaudette H&A HC 33
Box 2800 Rapid City SD 57102 (Telephone No.) 605 574 2505

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

(diversion points) Section 2, T1S, R5E

I\We understand that the validity of Vested Water Right Claim No. 523-2 has not been determined by this transfer action. If I\We have any questions on validity, I\We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)
County of PENNINGTON)

I\We William C. Beaudette being first duly sworn on my oath depose and say that in relation to the above described undertaking is that of Owner, that I have read the foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.



William C. Beaudette
(Signed)

Subscribed and sworn to before me this 14th day of August, 19 92.

Lois Schöck
(Notary Public)

Lois Schöck, Notary Public
My Commission Expires Feb. 13, 1993

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.



523-2

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 28, 1992

NOTICE

TO: William Beaudette
Horse Creek Campground
HC 33, Box 2800
Rapid City SD 57702

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

SUBJECT: Hearing to Consider Validation of Recognized Vested Right Claim No. 523 2

A Notice of Intent to validate Claim No. 523-2 was published on June 23, and 30, 1988 in the Rapid City Journal. The Water Rights Division opposed validation of No. 523-2 for purposes of completing an on-site inspection of the claim. The inspection of Claim No. 523-2 was completed on October 25, 1990, by Rassool Ahadi, staff engineer. The inspection found that the number of wells being utilized had reduced from five wells to three wells (wells Nos. 1, 2 & 4). The diversion rate has also been reduced from 0.053 cubic feet of water per second (cfs) to 0.037 cfs.

The Water Management Board will consider validation of Claim No. 523-2 at 10:00 am, September 30, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD. The agenda time is an estimate. The actual time of the hearing may be later than 10:00 am due to prior agenda items.

Pursuant to the findings of the on-site inspection, validation of Claim No. 523-2 is recommended for a diversion rate of 0.037 cfs. Following the hearing, the Board is authorized to 1) validate the claim as recommended for 0.037 cfs, 2) validate the claim as licensed prior to the on-site inspection, 3) validate the claim based on evidence presented at the public hearing, or 4) defer validation of the claim. Applicable provisions of the published notice of intent to validate Claim No. 523-2 will still apply at this hearing. A copy of the June 23 and 30, 1988, publication is available upon request.

This hearing is an adversary proceeding. You have the right to be represented by a lawyer. 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.

cc: Diane Best, Assistant Attorney General

523-2

V.R. Claim #334-1: Nancy L. Collins, Todd J. Collins and Randy Cammack, HC 75, Box 280, Sturgis, SD 57785.

V.R. Claim #380-1: Walter C. Miller, HC 75, Box 14, Sturgis, SD 57785.

V.R. Claim #564-1: John Miller, Star Rt. 1, Box 5A, Red Owl, SD 57777.

V.R. Claim #610-1: Lillie Holst, Box 377, Newell, SD 57760.

V.R. Claim #746-1: Angenetta Schemmel, 801 2nd Ave. SE, Pipestone, MN 56164.

✓ **V.R. Claim #523-2:** William Beaudette, Horse Creek Campground, HC 33, Box 2800, Rapid City, SD 57702.

V.R. Claim #4794-3: Thomas M. Tobin and Larry Lovett, Box 1766,
Aberdeen, SD 57401.

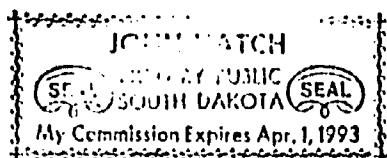
Diane Best, Assistant Attorney General, Capitol Building.

Charles F. Hunt

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 9th day of September, 1992.



John Hatch
Notary Public

SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 523-2

Date of Receipt of Claim March 4, 1959.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 523-2 for William Beaudette, Horse Creek Campground, HC 33, Box 2800, Rapid City SD 57702 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 523-2 appropriates 0.037 cubic feet per second of water from three wells located in or within 660 feet of the NE1/4 SW1/4 Section 2, T1S, R5E.
2. The appropriated water is used for supplying water for a restaurant, lounge, cabins and campground and may not exceed the amount of water needed for beneficial use for commercial purposes.

The water is to be used during the following annual period:
January 1 - December 31

3. The priority dates of the Vested Water Right are:

January 1, 1939 - 0.0124 cfs (well No. 4)
January 1, 1944 - 0.0124 cfs (well No. 1)
January 1, 1948 - 0.0124 cfs (well No. 2)

4. The water use system has been constructed and water has been applied to beneficial use.
5. Water Rights obtained in compliance with the laws of the State of South Dakota must not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____


Chief Engineer

DEC 24 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources

STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 523-2

(1) Ralph Morris, dba Wheel Inn of Rapid City, SD 57701, made Application No. 523-2, March 4, 1959 for validation of a vested right claim to appropriate 0.053 cubic feet of water per second from groundwater, Pennington, County, South Dakota, for commercial purposes. Vested Water Right No. 523-2 was validated September 30, 1992 with priority dates of January 1, 1939, January 1, 1944 and January 1, 1948. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

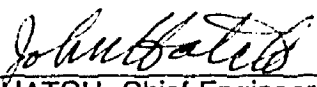
On August 25, 1992, Vested Right No. 523-2 was transferred to William C Beaudette, dba Horse Creek Campground.

On October 25, 1990, a field inspection was conducted of the water use system to determine the amount of water actually being used. The inspection found three wells diverting 0.037 cubic feet of water per second. The original application described use of water from a spring and groundwater that would retain a 1959 priority date. This portion of the system was either never developed or has been abandoned.

Based upon the October 25, 1990 inspection and subsequent validation of Vested Right No. 523-2, this license is being issued to reflect the amount of water still being utilized.

(2) The vested right owner is entitled to divert 0.037 cubic feet of water per second for beneficial use. The location of the three diversion points are: in or within 660 feet of the NE 1/4 SW 1/4 Section 2, T1S, R5E.

(3) Pursuant to Section 46-5-30.1 William Beaudette, dba Horse Creek Campground of HC 33 Box 2800, Rapid City, SD 57702 the holder and/or owner of Vested Water Right No. 523-2 is issued a license to appropriate 0.037 cubic feet of water per second from groundwater (three wells) with priority dates of January 1, 1939 - 0.0124 cfs; January 1, 1944 - 0.0124 cfs; January 1, 1948 - 0.0124 cfs from the location specified in (2) of this license. The water is to be used for the purpose of commercial use. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 523-2 and subject to South Dakota State Law.



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

DEC 24 1992

523-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

DEC 24 1992

William Beaudette
Horse Creek Campground
HC 33, Box 2800
Rapid City SD 57702

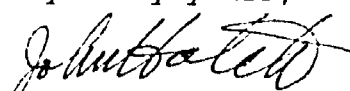
Dear Mr. Beaudette:

The Water Management Board has validated the enclosed Vested Water Right No. 523-2. This validation gives legal status to the claim and is the final document for your vested right. Enclosed is the reissued water license which reflects the diversion rate as validated by the Board.

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

Enclosed is Receipt for payment of the fee for filing the Notice of Transfer of Ownership. Our files now show you as the owner of this water right.

Very truly yours,


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

enclosures

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523-2



United States Department of the Interior

BUREAU OF RECLAMATION

Great Plains Region

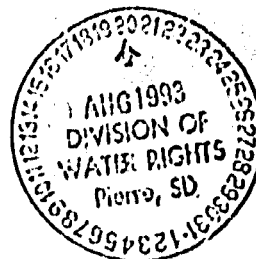
Belle Fourche Projects Office

P.O. Box 226

Newell, South Dakota 57760-0226

WTR 4.10
BF-430

AUG 18 1993



Mr. John Hatch, Chief Engineer
Water Rights Division
South Dakota Department of Water and Natural Resources
525 E. Capitol
Pierre SD 57501-3181

Subject: Vested Water Right Claims in Western South Dakota (Your Letter
Dated April 20, 1993) (Water Rights)

Dear Mr. Hatch,

We have reviewed the vested water right claims located in Perkins, Pennington, Fall River, and Butte Counties as listed in your letter dated April 20, 1993. We have also discussed these rights with contract water users. We appreciate the assistance of your staff in providing documentation of inspections and validation proceedings for specific claims as we requested.

We are satisfied with all of the actions taken by the board. Our intent in opposing validation of the water rights was to assure that all of the rights were reviewed prior to validation. That review has been completed by your staff. Thank you for notifying us of the board's actions and extending the opportunity to reconsider the actions if it would have been deemed necessary. We understand that future notification will be made in advance of board actions.

If we can be of further assistance, please contact Craig Kjar or me at (605) 456-2695.

Sincerely,

Bruce M. Laymon
Project Manager

cc: Mr. Joe Kramer, Manager
Angostura Irrigation District
PO Box 346
Oral SD 57766

Mr. James E. Winterton, Project Manager
Belle Fourche Irrigation District
PO Box 225
Newell SD 57760