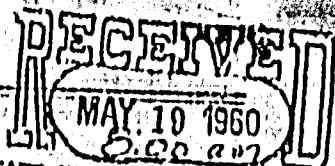


608-2

1. Considered 8-3, 1960
2. Name of Applicant Black Hills Corp
3. Post Office Address Prophet, Idaho
4. Amount of water claimed .004
5. Source of water supply Ground water
6. Water to be used for Commercial Use
Acres to be irrigated
7. Water to be diverted and used in Pennington County about
1 miles E of
8. Proof of Publication Received ✓
Not Received
9. Application Approved
Subject to
Not approved
Action deferred ✓

10. Remarks:

OK

No. 6.08-2Water Division No. 2 Battle Creek District

(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of applicant BLACK HILLS CORPORATION UNITED NATIONAL BANK
 Postoffice address BOX 251 Pennington County Rapid City State South Dakota
YES

I. If a corporation

- (a) Name of same BLACK HILLS CORPORATION
 (b) Date and place of incorporation SOUTH DAKOTA MARCH 10, 1960
 (c) Amount of capital stock \$1,000,000.00
 (d) Amount paid in \$2500.00 (Subscribed \$50,000.00)
 (e) Names and addresses of directors Dr Paul H. Koren, Matthew J. Doggio, Thomas J. Winn, Robert J. Dean, all of Rapid City, S.D., and Bernard P. Thomas, Boynton Beach, Fla.

(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)
Contract with Tom Monger, Custer, S. Dak.
 (b) Cash on hand, \$ 2,000.00 (c) Treasury stock, \$ \$950,000.00
 (d) Bonds to be issued, \$ None (e) Other resources, \$ None
2. Name of diversion work Does not apply—Dude Ranch well
.004 cfs or 2500 Gallons per day
 3. Amount of water claimed _____ cubic feet per second
 4. Source of water supply ground water
 5. Location of point of diversion S 72° 07' E 1325' from the N 1/4 corner
S 20° 18' T 13 R 7E (NW 1/4 NE 1/4) bank Pennington County.
 6. Annual period or periods during which water is to be used Continuously
 7. To be used for:
- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? None contemplated
 (a) Number of acres to be irrigated None 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.) Water will supply building for drinking and plumbing. Maximum of ten persons in daytime. Other use will supply guest houses and main dwelling for Dude Ranch.
- II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:
 (a) Nature of use Horses will water here, as used for trail rides etc.
 Name any of the above uses claimed
 (b) Amount of power to be generated None horse power.
 Amount claimed for engine cooling None
 (c) Location of plant None
 (d) Method of developing power Does not apply
 (e) Point where water will be returned to stream Does not apply

Map No. 554-2

8. Estimated cost of work: None applies

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

(b) Pumping plant, \$.....

(c) Fluming, \$..... (d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures \$.....

Total, \$.....

9. Description of diversion works:

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

None apply

II. Dimensions of works.

(a) Dam: Height feet; length at bottom feet; length at top feet; thickness at bottom feet; thickness at top feet; slope at front water face; slope at back face material used in construction

(b) Reservoir: Capacity when filled acre feet. Surface area at highwater mark 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 Thirty-five days years.

11. Time required for complete application of water to the proposed beneficial use 40 days years.

12. Choice of newspaper for publication of notice of intention to appropriate Does not apply

STATE OF SOUTH DAKOTA

County of PENNINGTON ss.

I, Robert J. Dean

, 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 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

Subscribed and sworn to before me this 13th day of May 1960

James Wilson
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

STATE OF SOUTH DAKOTA

Pierre, South Dakota.

October 27, 1962

...6th, upon the 19TH day of MAY, 1960

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Number of permit 6208-1

Date of first receipt of application

May 19, 1920

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

Date of receipt of corrected application

Date from which applicant may claim right

MAY 19 1962

Approved October 19, 1960, Recorded in Book 6 Page 132

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

November 10 1940

2nd. The whole of said work is to be completed on or before

NOVEMBER 25, 1962

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

December 1, 1900

4th. The water appropriated shall be used for the purpose of

Commercial Use

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 2004 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 during the following described annual period:

December 1, 1964

Continuously

Witness my hand this

27th

day of

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued

AUGUST 21, 1973

Water License Issued

AUGUST 21, 1973

Remarks by the Applicant:

The applicant now leases this property, but will make contract for deed. The object of the use as herein requested is for a small commercial activity, plus watering horses and livestock used in the operation of a Dude Ranch. In the building, it is proposed to operate an art studio (Bernard P. Thomas) a country store, and a radio broadcasting station. The radio station will cater to the farm and ranch audience. The subscription to stock was made subject to approval of applications to the FCC, and other governmental agencies involved, it is hoped to make this a year ~~A~~ round commercial enterprise.

608-2

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 6 1/2 inches, Depth 726 feetType of casing Steel
(wood, concrete, steel, etc.)Size of casing 5 inch, Thickness of casing 1/2 inchLength of casing 480 feet. If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen None

Size of perforated screen (diameter) (length)

Thickness of gravel pack None, length of gravel pack

(c) Water Bearing Materials (In the beginning of the Deadwood sands)

Distance to water In it. Character of water bearing materials Red sandThere is now about 110 feet of water which rises in the hole
and bailing produces about 2 gallons a minute.Thickness of water bearing material Unknown

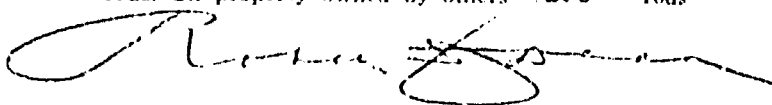
(d) Pump and Motor (Proposed)

Type of pump Submersible
(centrifugal, propeller, mixed flow, etc.)Name of pump Reeda, size 5 inchKind of motor Electric
(gasoline, electric, diesel, etc.)Horsepower 3, Name of Motor Reeda

(e) Complete well (Estimate of Dr. J.P. Gries)

(Expected Capacity 10 gal./min at drawdown of 850 feet. Estimated cost \$7,000.00)(f) Owner of land upon which well is located Dr. Paul H. Koren et ux
NameWest Winds Ranch P. O. Box 1330; Rapid City, South Dakota
Address

(g) Distance to nearest existing wells

On same owner's property 323 rods. On property owned by others 200 rods

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 6 1/2 inches Depth Approx 600 feet
 Type of casing Steel (wood, concrete, steel, etc.)
 Size of casing 5 inches Thickness of casing 3/8 inch 17 lb pipe
 Length of casing 600 feet (?) If collection gallery, length, size and depth of
 gallery None

(b) Screens

Type of perforated screen None
 Size of perforated screen (diameter) (length)
 Thickness of gravel pack None length of gravel pack

(c) Water Bearing Materials

Distance to water ? Character of water bearing materials ?
The answer to these questions is not known

Thickness of water bearing material
 (Proposed)

(d) Pump and Motor

Type of pump Submersible (centrifugal, propeller, mixed flow, etc.)
 Name of pump REEDA size 5 inch
 Kind of motor ELECTRIC (gasoline, electric, diesel, etc.)

Horsepower Three Name of Motor REEDA

(e) Complete well (Estimate of Dr J.P.Gries)

Capacity 10 gpm at drawdown of Estimated cost \$6069.80

(f) Owner of land upon which well is located Dr Paul H. Koren et ux
 Name
West Winda Ranch P.O.Box 1430 Rapid City, South Dakota
 Address

(g) Distance to nearest existing wells

On same owner's property 323 rods. On property owned by others 200 rods

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 608-2

(1) WHEREAS, On the 19th day of May A. D. 19 60

Black Hills Corporation

made Water Right Application No. 608-2 for a permit to use .004 cubic feet per second of the waters of ground water

County of Pennington, State of South Dakota, for commercial use

purposes; and
(2) WHEREAS, On the 27th day of October A. D. 19 60

Permit No. 608-2 with a date of priority of May 19, 1960

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 25th day of November A. D. 19 60 and for the

application to beneficial use of said water on or before the 1st day of December A. D. 19 60

Whereas, on the 16th day of August, 1973, the permit was transferred to the
United National Bank,

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 .022 cubic feet per second of water for beneficial use and,

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

Water to be used in the operation of a lodge and trailer camp.

(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 United National Bank

_____ of Rapid City, South Dakota
the holder S and owner S of said permit No. 608-2 a water right, dating from May 19, 1960
_____ to use of .022 cubic feet per second of the waters
of ground water
in the County of Pennington and State of South Dakota, or so much thereof as may be necessary for the
purpose: hereinbelow mentioned, to be diverted at South 72° 07' East, 1328 feet from the N $\frac{1}{2}$ Corner,
Section 18, T13, R7E

and ~~XXXXXXXXXXXX~~ conducted to lodge headquarters.

for the purpose of Commercial use

Subject to any limitations listed in Water Right Permit No. 608-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 21st day of August A. D.
Nineteen Hundred and Seventy-three

~~WATER RESOURCES COMMISSION~~

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

Form 15.

Permit No. 608-2

Water Diversion No. 2 BATTLE CREEK Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That United National Bank

_____ the holder of
Permit No. 608-2, issued upon Application No. 608-2, bearing date of priority of May 19, 1960
_____ authorizing the diversion of .004 cu. ft. per second of the waters of _____
ground water County of Pennington, State of South Dakota at _____
South 72° 07' East, 1328 ft. from the N $\frac{1}{2}$ Corner, Sec. 18, T1S, R7E

_____, for Commercial use

purposes, has ye 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 .022 cu. ft. per second of water.

Date August 21, 1973

~~WATER RIGHTS COMMISSION~~
WATER RIGHTS COMMISSION

By:

DONALD DRISCOLL, Chief Engineer

RECEIVED
JUL 19 1960

STATE WATER RESOURCES COMMISSION
JUL 19 1960

Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington

} ss.

E. H. LIGHTER, of Rapid City, in said County, being first duly sworn, upon his oath says: That he is now and was at all times hereinafter mentioned, the agent of the publisher named, designated and appointed as such for the purposes herein set forth, by resolution and action of its Board of Directors, of The JOURNAL PUBLISHING CO. of Rapid City, a corporation, of Rapid City, South Dakota, the owner and publisher of the RAPID CITY DAILY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated; that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said RAPID CITY DAILY JOURNAL, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said newspaper once each week for four successive weeks, the first publication thereof being on the 24th day of June 1960, and the last publication thereof being on the 15th day of July 1960, that the fees charged for the publication thereof are Fourteen Dollars and 00 cents

E. H. Lighter

Subscribed and sworn to before me this 15th day of

July 1960

Notary Public.

June 24, July 1, & 15
APPROPRIATION OF WATER
Office of State Water Resources Commission, Pierre, S. D., June 21, 1960.
Notice is hereby given that Black Hills Corporation, whose post office address is 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 .004 cubic feet of water per second of time from the ground water through the Gude Ranch well, the point of diversion of which is to be located on the bank of said stream in the NW 1/4 of the NE 1/4 of Section 18, Twp. 18, Range 17, S. 1/2, water to be used for the purpose of providing for operation of Gude Ranch, store, and related commercial activities.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 3rd day of August, 1960, at 2 P.M. Interested persons may appear in person or by counsel.
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any all information presented.
State Water Resources Commission
By: BURTON F. JONES
Water Right & District

On or before
(First Publication July 8, 1960)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 21, 1960

Notice is hereby given that Black Hills Corporation whose postoffice address is 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 .004 cubic feet of water per second of time from the Ground Water through the Dude Ranch well, the point of diversion of which is to be located on the bank of said stream in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18 Twp. 1S Range 7E. Said water to be used for the purpose of providing irrigation on the ~~existing described land~~ for operation of dude ranch, store, and related commercial activities

and for _____ purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 3rd day of August, 1960, at 2 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.

cc: E. H. Lighter, Manager
Rapid City Daily Journal
Rapid City, South Dakota

State Water Resources Commission

By: BURTON F. JONES

Chief Engineer & Permitting
Water Right Specialist

Permit No. 608-2
 Water Division 2 BATTLE CREEK Water District

REPORT OF EXAMINATION OF WORKS
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Rights
 TO: Water ~~Resource~~ Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Black Hills
Corporation of Rapid City, S.D. holder _____
 of Permit No. 608-2, bearing date of priority of May 19, 1960, 18x _____
 authorizing the diversion of .004 cu. ft. per second of the waters of ground water
 for irrigation purposes, in Pennington County.

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

The Water Use System consists of,

A. Works used to divert the water:
 Well 726 feet deep cased with 5 inch dia. steel casing
 "Jensen" walking beam pump (oil well type) ser.No. 5313
 General Electric, electric motor No. XX

B. Works used to transport water to place of use,
 2000 gallon steel underground type with underground pressure tank and pump located
 100 feet south of wells.
 About 1/2 mile of underground main and laterals.

C. Works used to apply water to beneficial use.
 water furnished to lodge, trailer camp and five cabins

The system is in the following condition: fair
 The point of diversion is located South 72° 07' East, 1328 ft. from the N½ corner of Section
18, T1S, R7E
 The works are capable of diverting and conveying to the place of use .022 (10 g.p.m.)
 cu. ft. per second of water which is to be used for commercial use
 Water has been put to beneficial use to the maximum extent as follows: _____
the well was constructed in 1960 and has been used in varying degrees since
that time.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

This enterprise is being operated by Dr. Gnirk, as the Diamond G Guest Ranch

The owner is:
 United National, Box 951, Rapid City, S.D. (Attn:) Mr. Lyle Nelson

Date August 2, 1973

Donald Driscoll
 (Signature)
 DONALD DRISCOLL, Chief Engineer W.R.C.

State of South Dakota



Department of State

United States of America, } Secretary's Office
State of South Dakota, }

*This is to certify that the attached instrument of writing
is a true, correct and examined copy of*
Articles of Incorporation of BLACK HILLS CORPORATION as filed
March 19, 1960.

*and the whole thereof, and has been carefully compared with
the original now on file in this office and found correct.*



In Testimony Whereof, *I have hereunto
set my hand and affixed the Great
Seal of The Sta^e of South Dakota
at the City of Pierre, the Capital on
this 19th day of March 19 60*

Edna Anderson
Secretary of State.

FEES. \$ 3.50

BY _____
Assistant Secretary of State

ARTICLES OF INCORPORATION
OF
BLACK HILLS CORPORATION

★ ★ ★

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, Paul H. Koren of Rapid City, South Dakota, Mathew J. Boggio of Rapid City, South Dakota, Bernard P. Thomas of Boynton Beach, Florida, Thomas J. Winn of Rapid City, South Dakota, and Robert J. Dean of Rapid City, South Dakota, for ourselves, our associates and successors, have associated ourselves together for the purpose of forming a corporation under and by virtue of the laws of the State of South Dakota, and do hereby certify and declare as follows, viz:

FIRST

The name of this corporation shall be BLACK HILLS CORPORATION.

SECOND

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

1. To build, construct, acquire, operate, carry on and conduct radio and television stations within the State of South Dakota; to acquire, maintain and operate dude ranches, retail and wholesale stores and shops and other establishments for the sale at retail and wholesale of merchandise to the public and to construct, maintain, acquire and operate hotels and motels, all within the State of South Dakota.
2. To purchase or otherwise acquire, own, hold, lease, sell, exchange, assign, transfer, mortgage or otherwise dispose of and to invest, trade and deal in and with real property and any and all interests therein.

3. To purchase or otherwise acquire, hold, own, lease, sell, exchange, transfer, mortgage, or otherwise dispose of and to trade and deal in personal property of every class and description including, but not limited to, general merchandise of every kind and character and all other property incident to the conduct of a general retail and wholesale business and the sale or marketing of products incidental thereto.

4. To pay for any property of any kind or description in cash, in stocks or bonds of this corporation or otherwise.

5. To borrow money, to issue bonds, debentures, notes or other obligations of this corporation from time to time for any of the objects or purposes of this corporation and to mortgage, pledge, hypothecate or convey in trust, any or all of its property to secure the payment thereof.

6. To enter into, make, perform and carry out contracts of every kind and for any lawful purpose with any person, firm, association, corporation, municipality, state or government, or any subdivision, district or department thereof.

7. To do any and all other acts, things, business or businesses in any manner connected with or necessarily incidental, convenient or auxiliary to any of the objects or purposes hereinbefore enumerated or calculated directly or indirectly to promote the interests of the corporation; and in carrying on its purpose or for the purpose of attaining or furthering any of its business, to do any and all acts and things and to exercise any and all other powers which a co-partner or natural person could do or exercise and which now or hereinafter may be authorized by law.

THIRD

The place where the principal business of this corporation shall be transacted is Rapid City in the County of Pennington, State of South Dakota.

FOURTH

The term for which this corporation shall exist shall be perpetual.

FIFTH

The number of Directors of this corporation shall be five and the names and residences of such who are to serve until the election of their successors, are as follows:

Paul H. Koren	Rapid City, South Dakota
Mathew J. Boggio	Rapid City, South Dakota
Bernard P. Thomas	Boynton Beach, Florida
Thomas J. Winn	Rapid City, South Dakota
Robert J. Deen	Rapid City, South Dakota

SIXTH

The amount of capital stock of this corporation shall be One Million Dollars (\$1,000,000.00) divided into 10,000 shares of the par value of One Hundred and no/100s Dollars (\$100.00) each, fully paid and nonassessable. Such stock may be issued by the corporation from time to time as directed by the Board of Directors.

SEVENTH

No stockholder shall be liable for the debts of the corporation in any amount greater than his unpaid subscription.

IN TESTIMONY WHEREOF, we have hereunto set our hands this 11th day of March, 1960.

Paul H. Koren
Mathew J. Boggio
Bernard P. Thomas
Thomas J. Winn
Robert J. Deen

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF PENNINGTON)

On this 12th day of March, 1960, before me, the undersigned officer, personally appeared Paul H. Koren, Mathew J. Boggio, Bernard P. Thomas, Thomas J. Winn and Robert J. Dean, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

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

E. W. G. G. G.
NOTARY PUBLIC SOUTH DAKOTA

My Commission Expires: May 2/54, 1967

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF PENNINGTON)

Paul H. Koren, Mathew J. Boggio, Bernard P. Thomas, Thomas J. Winn,
and Robert J. Dean, being first duly sworn, each for himself, deposes
and says: That he is one of the persons described in and who signed
the foregoing Articles of Incorporation as an incorporator therein;
that he has read said Articles and knows the contents thereof; that
the incorporators intend in good faith to form a corporation for the
purpose of the promotion of a lawful business as set forth in said
Articles and not for the purpose of enabling any corporation or
corporations to avoid the provisions of Chapter 13.18 South Dakota
Code of 1939, of the State of South Dakota, relating to unlawful
trusts and combinations, and laws amendatory thereto.

Paul H. Koren

Mathew J. Boggio

Bernard P. Thomas

Thomas J. Winn

Robert J. Dean

Subscribed and sworn to before me this 15th day of March, 1960.

W. L. Garrison
NOTARY PUBLIC SOUTH DAKOTA

My Commission Expires: May 31st, 1967

August 10, 1960

Robert J. Dean - General Manager
Black Hills Corporation
Box 507 Pennington
Rapid City, South Dakota

Dear Mr. Dean:

This will inform you that the Water Resources Commission considered your Application 608-2 on August 3, and one complaint was received.

It is our understanding that you did not obtain sufficient water from the proposed shallow well, and are now drilling deeper. If such is the case, we request that you complete the enclosed Form 2A.

Action has been deferred subject to receipt of the additional data. When this data is received, your application will be reconsidered by the Commission.

Sincerely,

BURTON F. JONES
Water Right Specialist

BFJ:nkf

Encl.

608-2

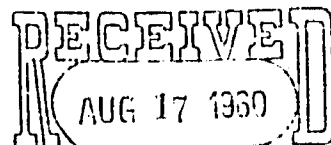
Black Hills Corporation

21 MAIN STREET • RAPID CITY, SOUTH DAKOTA

August 16, 1960

— Officers —
Thomas J. Winn, Pres.
Dr. Paul H. Koren, V. Pres.
Mathew J. Baggio, Treas.
Bernard P. Thomas, Secy.
Robert J. Dean, Gen. Mgr.

Mr. Burton F. Jones
Water Right Specialist
STATE WATER RESOURCES COMMISSION
State Office Building
Pierre, South Dakota



STATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

Dear Mr. Jones:

Thank you for your letter of August 10th. Please find enclosed the form submitted which I trust is in good order.

I am sincerely grateful to you for your consideration of our application and I am likewise amazed that anyone would complain of our using of this water unless it would be Mrs. Duhamel who is a widow, 83 years of age, who own the Sitting Bull Crystal Caverns, and who was told this well would in some way damage a running spring on property which is contiguous to ours. Both Mr. Monger and myself have now convinced Mrs. Duhamel that this well is many feet below her spring and could not possibly have any bearing on it. Dr. Paul Gries, whom I am sure you know, has been the consultant on the digging of this very stubborn well which has now consumed more than 82 days to get down 726 feet. The material we have pressed through has been very hard and Mr. Monger has lost the tools of his outfit several times which has consumed time.

After the examination of the samples which Mr. Monger has very religiously kept, it is the opinion of Dr. Gries that we are now just entering the water-bearing sands and that about a hundred feet more will be required to give us the water we require.

Thus far, we have paid Mr. Monger \$4500 in cash even though our contract with him does not require that we pay him until we accept the well or abandon it but it has been such a battle to get down through that rock that he is, as he puts it, simply run out of money. We expect to take care of him in excess of the terms of the contract because of this situation.

With your permission, we will accept this two gallons per minute if it is the best which can be expected, after drilling to the depth suggested by Dr. Gries.

Any help or suggestions you may have in the premises will be appreciated as has been your help and consideration in the past.

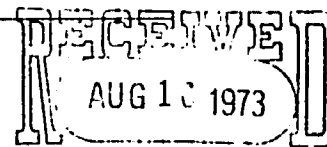
Very respectfully yours,

Robert J. Dean

RJD/vs

Form 20.

608-2



NOTICE OF TRANSFER OF WATER PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

TO: ^{Rights} Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Date August 13, 1973

This is to notify you that title to the ^{well} lands described as follows:
S.72° 07' E., 1328 feet from the N½ Corner, Section 18, T1S, R7E

formerly owned by Black Hills Corporation, Box 507, Rapid City, S.D.

has been transferred to United National Bank, Box 951, Rapid City, S.D.

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 608-2 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water ^{Rights} Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)
County of Pennington) ss.

I, Larry F. Pisacka being first duly sworn on my oath, depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Larry F. Pisacka
(Signed)
Asst. Vice President

Suscribed and sworn to before me this 13th day of August, 19 73

Charles A. Brown
(Notary Public)

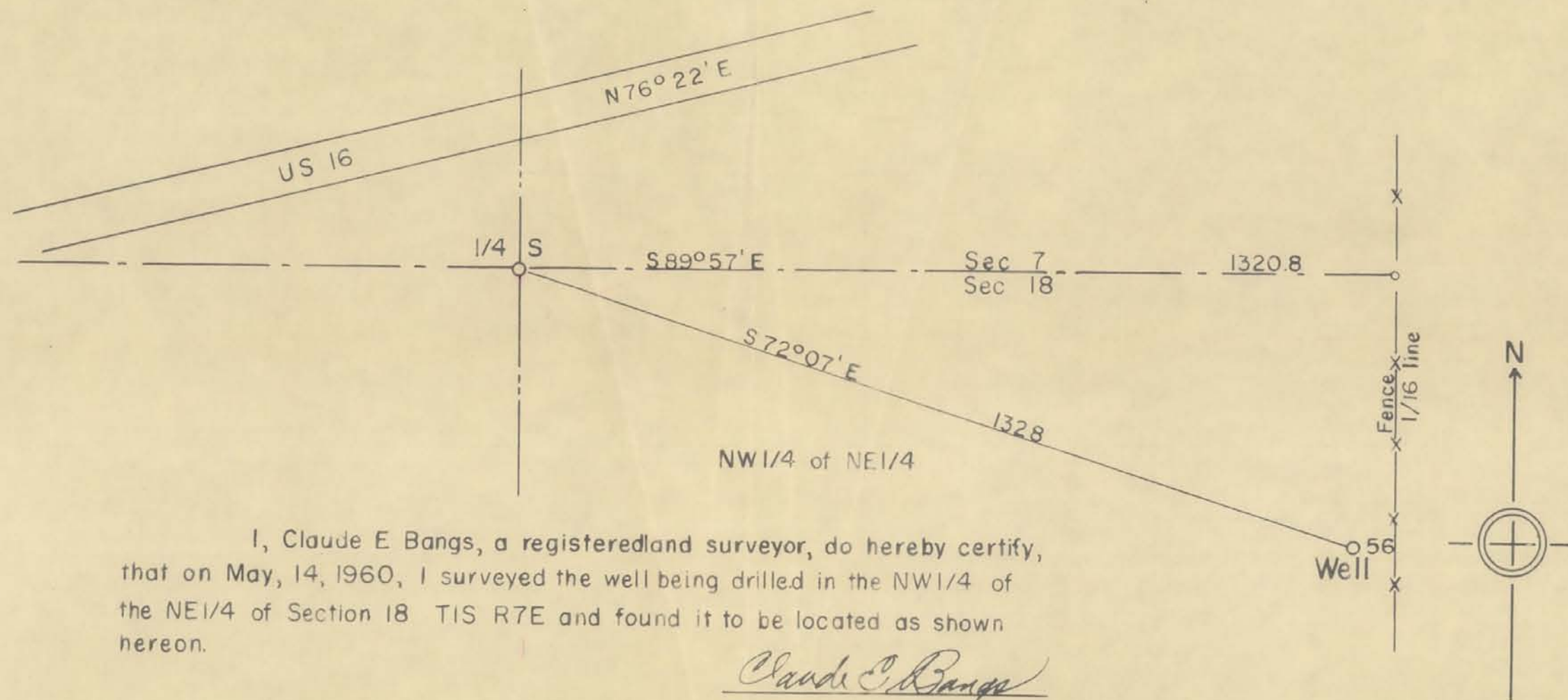
CHARLES A. BROWN, NOTARY PUBLIC
Pennington County, South Dakota
My Commission expires July 27, 1981

LOCATION of WELL in NW1/4 of NE1/4 of Section 18 T1S R7E BHM

May, 1960

PENNINGTON Co., S. D.

1" = 200'



I, Claude E Bangs, a registered land surveyor, do hereby certify, that on May, 14, 1960, I surveyed the well being drilled in the NW1/4 of the NE1/4 of Section 18 T1S R7E and found it to be located as shown hereon.

Claude E Bangs

10-5-60 10-5-60
(copy retained in my files)