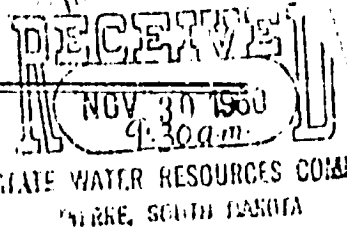


644-2

1. Considered 3-15, 1961
2. Name of Applicant Ray E. Chord
3. Post Office Address Austin
4. Amount of water claimed 1.00
5. Source of water supply Armedy Ranch Corral
6. Water to be used for Swimming Pool, fire propagation & most operation
Acres to be irrigated
7. Water to be diverted and used in Pennings County about
 miles of
8. Proof of Publication Received ✓
Not Received
9. Application Approved
Subject to
Not approved
Action deferred
10. Remarks:



No. 644-2
SAFETY
RAPID CREEK
 Water Division No. 2
 (Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMMISSION
 SIOUX FALLS, SOUTH DAKOTA

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

(NOTE—Draw a line through items not applicable.)
RED ARROW INDUSTRIES, INC. (DBA HORSETHIEF RANCH)

1. Name of applicant Box 307, Hill City
 Postoffice address Hill City (Box 307), County Glacier, State South Dakota

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)

Contract and direct labor

- (b) Cash on hand, \$ 10,000
- (c) Treasury stock, \$ none
Income from Uranium Mines
- (d) Bonds to be issued, \$ none
- (e) Other resources, \$ none

2. Name of diversion work Horse Thief Diversion

3. Amount of water claimed 1 (one) cubic feet per second

4. Source of water supply Sunday Gulch Creek SECOND WINTER

5. Location of point of diversion bears South 75° 50' East from the North 1/4 corner of

Sec. 24; T2S; R1E; on left bank Pennington County.
for propagating pools, year round; for swim-

6. Annual period or periods during which water is to be used ming pool, April thru September

7. To be used for:

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

(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.) Horse Thief Inn, swimming pool
and fish propagating pools

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 none horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power 500 ft. below point of diversion for

(e) Point where water will be returned to stream fish ponds; 300 ft. below point of
diversion for swimming pool.

MAP No 578-2

8. Estimated cost of work: (f) Pool 9000.00
(a) Head Gates, \$15.00 Fish pool (b) Pumping plant, \$1000.00
(c) Fluming, \$ (d) Canal-earth, \$ direct labor Rock, \$
(e) Ciner structures 1 1/2" nipa h" tiles \$200.00 Total, \$10215.00

9. Description of diversion works:

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

II. Dimensions of works.

(a) Dam: Height 18 feet; length at bottom 11 feet; length at top 10 feet; thickness at bottom 10 feet; thickness at top 3 feet; slope at front water face vertical; slope at back face 1 1/2; material used in construction
(b) Reservoir: Capacity when filled 0.2 acre feet. Surface area at highwater mark .07 acres.

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

(c) Head gate: Width valve feet; height feet;

Material iron

(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 9 months years.

11. Time required for complete application of water to the proposed beneficial use 1 years.

12. Choice of newspaper for publication of notice of intention to appropriate

Gate City Guide, Rapid City, South Dakota

STATE OF SOUTH DAKOTA

County of Pennington

Roy E. Chord

I, Roy E. Chord, being first duly sworn, 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

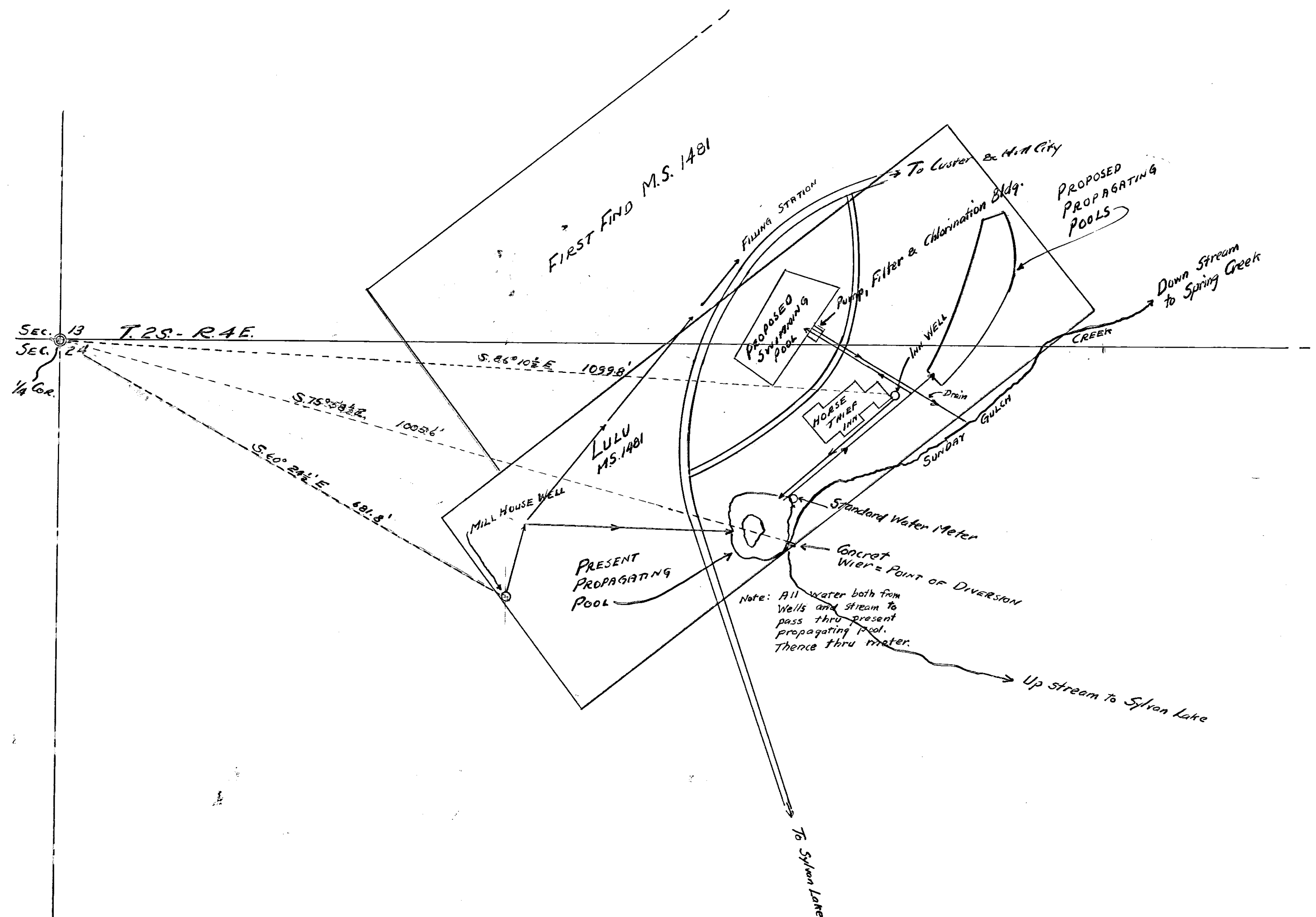
Subscribed and sworn to before me this 28th day of November 1960

My Commission Expires
March 29, 1966

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Measuring device will consist of water meter as shown on plan.



HORSE THIEF DIVERSION

I, Gardner Gantz, a Registered Professional Engineer, hereby certify that I made the Survey, compiled the data and this accompanying plat of the Horse Thief diversion at the request of the owner and applicant and that all data hereon are correctly described and plotted. This diversion is located in Pennington County, S. D.

Gardner Gantz
PROFESSIONAL ENGINEER
Reg. No. 272

APPLICANTS CERTIFICATE

I, Roy E. Chord, hereby certify that I am the owner of Horse Thief Inn and surrounding premises and am the applicant for a diversion of water from Sunday Gulch Creek to be used for a public swimming pool and for fish culture ponds as herein shown.

Roy E. Chord

ACKNOWLEDGEMENT:

STATE OF SOUTH DAKOTA
County of Custer

On this 7th day of November in the year 1960, before me, Homer V. Morris, the Clerk of Courts within and for said County and State, personally appeared Gardner Gantz and Roy E. Chord, known to me to be the persons who are described in and who executed the within and foregoing instruments and they acknowledged to me that they executed the same.

Homer V. Morris
CLERK OF COURTS

Remarks by State Water Resources Commission:

ASIDE FROM DOMESTIC USE, THIS PERMIT CONVEYS NON-CONSUMPTIVE USE OF WATER. DIVERSIONS ARE SUCH AS TO BE LIMITED TO THOSE PERIODS OF TIME WHEN THE FLOW IN SUNDAY CREEK IS OBVIOUSLY SUFFICIENT FOR EXISTING NEED. BY POWER AT NO TIME SHALL THE ENTIRE FLOW OF SUNDAY CREEK BE DIVERTED FOR USE UNDER THIS PERMIT, AND SUFFICIENT FLOWS SHALL REMAIN IN THE CREEK TO SATISFY OTHER DOMESTIC USE & PRIOR WATER RIGHTS. RETURN FLOWS FROM THE USES RECOGNIZED SHALL BE RETURNED TO SUNDAY CREEK.

STATE OF SOUTH DAKOTA

County of HUGHES

Pierre, South Dakota, MARCH 17, 1961

This is to certify that the foregoing application was received by the Commission at 9:30 o'clock a.m. upon the 30TH day of NOVEMBER, 1960.

State Water Resources Commission

By: William J. Jones

Chief Engineer, Executive Officer

Number of permit 644-2

Date of first receipt of application NOVEMBER 30, 1960

Date of return to applicant for correction, amendments or changes required as follows: 10

Date of receipt of corrected application 10

Date from which applicant may claim right NOVEMBER 30, 1960

Approved MARCH 15, 1961, Recorded in Book 6 Page 195

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

SEPTEMBER 1, 1961

2nd. The whole of said work is to be completed on or before DECEMBER 15, 1961

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

MARCH 15, 1962

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

(Fish ponds & swimming pool at Horse Thief Inn)

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 100 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion 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

used for fish culture & inn operation

and beneficially applied for irrigation on or before MARCH 15, 1962; said water to be used during the following described annual period:

Continuously for fish ponds - April thru September for Swimming Pool

Witness my hand this 17TH day of MARCH, 1961

State Water Resources Commission

By: William J. Jones

Chief Engineer, Executive Officer

Certificate of Construction Issued JUNE 10, 1971

Water License Issued JUNE 10, 1971

Remarks by the Applicant:

Actually this diversion will consist of a water conservation on a small scale. I have already constructed a small pool thru which a constant stream of water runs and thence right back into the creek. This small operation has been so successful that I am apply for water right to enlarge the operation for the benefit of the public. The stream, itself, has never been used for fishing and I have supplied the fry which have grown rapidly into sizable trout. The swimming pool will be constructed as shown by the plan directly in front of the Horse Thief Inn and water will be pumped from below the water meter into the pool and the outlet will be about three hundred feet below the wier. The pool will be filled and emptied and cleaned as necessity demands. The two walls shown on the plan will be used for the pool and fish ponds only should the stream fail during the dry weather. Sunday Gulch Creek has always carried water even during the dry years but not always 1 cu. ft. per second as requested. Actually the well water shows a little more iron than I would care to put into the pool but it will be quite all right for the propagating pools. I propose to use a water meter rather than a wier for the reason that it will prevent fish from escaping into the stream. However, should the Commission so desire I can easily install a measuring wier and use a screen.

HILL HOUSE WELL

Form 2A — Wells (Supplement to Form 2)
Bears S. 60° 24½' E. 631.8 ft. dist. from North ¼ corner Section 24; T2S; R4E; BHM
Pennington County, South Dakota.

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 6" Depth 90 feet

Type of casing Heavy black steel 19.18 lbs. per foot
(wood, concrete, steel, etc.)

Size of casing 6" i.d. Thickness of casing 5/16"

Length of casing 23 feet If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen open bottom

Size of perforated screen (diameter) (length)

Thickness of gravel pack none length of gravel pack

(c) Water Bearing Materials

Distance to water 16.5 ft. Character of water bearing materials pre Cambrian Schist

Thickness of water bearing material 45 feet

(d) Pump and Motor

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

Name of pump McDonald size 1/2 HP

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

Horsepower 1/2 HP Name of Motor G.E.

(e) Complete well

Capacity 5 gal/mt. at drawdown of 20 feet Estimated cost \$640.00

(f) Owner of land upon which well is located Roy E. Chord
Name

Horse Thief Inn, Custer, S. D.
Address

(g) Distance to nearest existing wells

On same owner's property 35 rods. On property owned by others rods

HORSE THIEF INN WELL

Form 2A — Wells (Supplement to Form 2)

Bears S. $86^{\circ} 10\frac{1}{2}'$ E. from North $\frac{1}{4}$ corner section 24; T2S; 14E; B&M, Pennington County, South Dakota

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 6" , Depth 19 feet
 Type of casing Heavy Black Steel 19.16 lbs/ft.
 (wood, concrete, steel, etc.)
 Size of casing 6 inch , Thickness of casing 5/16"
 Length of casing 21 feet If collection gallery, length, size and depth of
 gallery open bottom

(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 10 ft. Character of water bearing materials pre Cambrian Schist

 Thickness of water bearing material 3 feet

(d) Pump and Motor

Type of pump centrifugal
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump McDonald , size $\frac{1}{2}$ HP
 Kind of motor Electric
 (gasoline, electric, diesel, etc.)
 Horsepower $\frac{1}{2}$ HP , Name of Motor G. E.

(e) Complete well

Capacity 4 gal/mt. ... at drawdown of 39 feet Estimated cost \$100.00

(f) Owner of land upon which well is located

..... Roy E. Chord
 Name
 Horse Thief Inn, Custer, South Dakota
 Address

(g) Distance to nearest existing wells

On same owner's property 35 rods. On property owned by others rods

WATER LICENSE NO. 644-2

(1) WHEREAS, On the 30th day of November A. D. 19 60
Roy E. Chord

made Water Right Application No. 644-2 for a permit to use 1.0 cubic feet per second of the waters
of Sunday Gulch Creek and ground water

County of Pennington, State of South Dakota, for commercial

purposes; and

(2) WHEREAS, On the 17th day of March A. D. 19 61
Permit No. 644-2, with a date of priority of November 30, 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 15th day of December A. D. 19 61 and for the
application to beneficial use of said water on or before the 15th day of March A. D. 19 62

**and Whereas, on the 1st day of June 1971, the Permit was transferred
to Red Arrow Industries, Inc. (DBA Horsethief Ranch).**

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 1.0 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 is used for commercial purposes in the operation of Horsethief

Inn and ranch.

(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 Red Arrow Industries (D/B/A Horseethief Ranch)

_____ of Hill City, South Dakota

the holder _____ and owner _____ of said permit No. 644-2 a water right, dating from November 30, 1960

_____ to use of 1.0 cubic feet per second of the waters of Sundry Gulch Creek and ground water

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 points from the NW Corner, Section 24, T2S, R4E,

Mill House Well, South 60° East, 681.8 feet; Sundry Gulch Weir, South 75° 58' East, 1005.6 feet and Inn Well South 86° 10' East, 1099.8 feet

and conduct to ~~irrigation~~ Horseethief Inn, swimming pools and other hookups.

for the purpose of commercial use

Subject to any limitations listed in Water Right Permit No. 644-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 10th day of June A.D.
Nineteen Hundred and Seventy-One

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Permit No. 644-2

Water Diversion No. 2 BATTLE CREEK Water District

CERTIFICATE OF CONSTRUCTION

Red Arrow Industries, Inc.

This is to Certify, That _____

_____ the holder _____ of
 Permit No. 644-2, issued up in Application No. 644-2, bearing date of priority of November 30,
1960 authorizing the diversion of 1.0 cu. ft. per second of the waters of _____
Gulch Creek & Ground Water County of Pennington State of South Dakota at _____
points from the NW Corner, Section 24, T28, R4E, Mill House Well, S. 60 East,
681.8 feet; Sunday Gulch Weir, South 75° 58' East, 1005.6 feet and Inn Well
S. 86° 10' E, 1099.8 feet. for commercial

purposes, has _____ 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 1.78 cu. ft. per second of water.

Date June 10, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County OF Pennington } ss.

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:

February 16, 1961

February 23, 1961

March 2, 1961

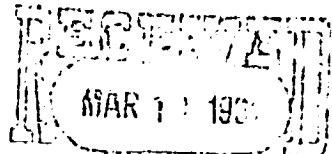
March 9, 1961

in each and every issue of the full number thereof, the first publication being made on the 16th day of Febr.

1961, and the last publication on the 9th day of

March 1961, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publicationshe

was Business Manager of the said newspaper.

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

No. 644-2
APPROPRIATION OF WATER
 Office of State Water Resources Commission,
 Pierre, S. Dak., January 17, 1961.
 Notice is hereby given that Roy E. Chord, whose postoffice address is Custer, 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 1.00 cubic feet of water per second of time from Sunday Gulch Creek and ground water through the Horse Thief Diversion, 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 24 Twp. 28 Range 4 E. Said water to be used for the purpose of providing domestic use for the Inn and for swimming pool and fish pond operation.
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of March, 1961, at 2:00 P. M. All interested persons may appear and be heard.
 Appropriate action will be taken by the Water Resources Commission after said time has elapsed for the consideration of any or all information presented.
 By State Water Resources Commission
 By Burton F. Jones
 Water Rights Specialist
 Published Febr. 16-41

Faye Crawford

Subscribed and sworn to before me this 10th day of March A. D. 1961

W. B. Bivens

Notary Public Pennington County, S. D.

on or before February 17, 1961
 (First Publication _____)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 27, 1961

Notice is hereby given that Roy E. Chord whose postoffice address is Custer 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 1.00 cubic feet of water per second of time from the Sunday Gulch Creek and ground water through the Horse Thief Diversion, 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 24 Twp. 2 S Range 4 E. Said water to be used for the purpose of providing ~~XXXXXXXXXXXX~~

~~XXXXXXXXXXXX~~
~~owning to the~~

domestic use for the Inn and for swimming pool and fish pond operation

~~XXXXXX~~

~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of March, 1961, 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:

~~XXXXXXXXXXXX~~
 Chief Engineer, Executive Officer

Burton F. Jones
 Water Rights Specialist

cc Theo. B. Werner, Publisher
 Gads City Guide
 Rapid City, S.D.

LAW OFFICES OF
HANLEY, COSTELLO & PORTER

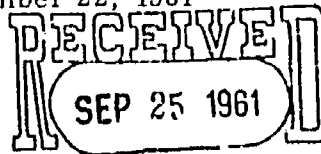
SECURITY BUILDING
P. O. BOX 190

RAPID CITY, SOUTH DAKOTA

C. H. R. HANLEY
J. M. COSTELLO
WILLIAM G. PORTER
DENNIS H. HILL
MELVIN D. WEDMORE

September 22, 1961

TEL. FILLMORE 3-2410



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

Water Resources Commission
Pierre,
South Dakota

Gentlemen:

Please send us copies of any applications for diversion or use of surface waters or ground waters on Sunday Gulch (sometimes referred to as Harney Creek) southeast of Hill City, South Dakota, which have been filed by Mr. Ray Chord. Also we would appreciate receiving copies of any permits or certificates issued to Mr. Chord on Sunday Gulch. In addition, we would be interested in obtaining a copy of all water rights filed on or in connection with Lot A of Lulu Tin Lode, Mineral Survey 904, provided there is not a large cost involved in reproducing the water rights prior to Mr. Chord's ownership of the property.

Thanking you for your assistance in this matter, we are

Very truly yours,

HANLEY, COSTELLO & PORTER

By

Melvin D. Wedmore
Melvin D. Wedmore

MDW:bl

644-2

September 26, 1961

Hanley, Costello & Porter
P. O. Box 190
Rapid City, S. Dak.

Attention: Melvin B. Wadmore

Gentlemen:

Enclosed is a certified copy of Mr. Chord's water permit 644-2 as requested in your letter of September 22, 1961.

To our knowledge there have been no filings made on Lulu Tin Lodge, Mineral Survey 904. Mr. Chord's map lists the land as Lulu M.S. 1481. We do not have a record in this office of the Mineral surveys, so cannot tell you specifically whether or not any of the other filings we have cover the M.S. 904. Water rights are filed by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range. A more specific location would aid us in determining if filings have been made.

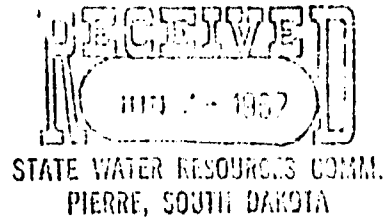
Statutes require that we charge \$1.00 for the first 100 words and 15¢ for each additional 100 words. Also \$1.00 for the certification. Please remit your check in the amount of \$3.20 to cover these costs.

Sincerely,

BURTON F. JONES
Water Right Specialist

BFJ:mf
Encl: Cert. Copy 644-2

PAUL H. RUSSELL
ATTORNEY AT LAW
EDGEWORTH, SOUTH DAKOTA
—
TELEPHONE MO - 2-7751



June 1, 1962

Mr. J. W. Grimes
Chief Engineer
Water Resources Commission
State of South Dakota
Pierre, South Dakota

Re: Roy E. Chord
Water Right Permit No. 641-2

Dear Mr. Grimes:

Mr. Roy E. Chord has asked me to take up the matter of his alleged violation of the above numbered permit as outlined in your letter to him of May 8, 1962.

Mr. Chord did not have a copy of his permit with him, but you have quoted the limiting conditions in your letter. There are two things in the quotation that probably need clarification. First, the permit covers non-consumptive use of water. Second, the diversions for such use shall be limited to the periods of time when the flows are obviously sufficient for existing needs by others.

You have mentioned that violation consists of unauthorized diversions, and probably you mean the taking of water or diverting of water from the stream during periods other than when the creek is in flood.

Mr. Chord states that you personally examined his diversion so that you are familiar with the lay-out. He also states that you approved it at that time. There has been no change in the use. The water is diverted from the channel through a four inch pipe, through two ponds, and then back into the creek through another four inch pipe. The total amount of water being returned to the creek is the same amount as that taken, or possibly it is increased from the ground water on his property. In other words, the flow of water in the creek is the same as it leaves his property as it was when it enters his property. Also, the small dam on the creek where the pipe is located that takes the water from the creek, leaks and at least two thirds of the water runs through the dam and down the stream at all times. The rest

PAUL H. RUSSELL
ATTORNEY AT LAW
EDGEMONT, SOUTH DAKOTA
TELEPHONE MO - 2-7751

- 2 -

of the water returns to the creek below the second pond.

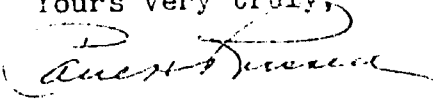
I would not classify this as consumptive use of water. Possibly the heavy rains recently, raising the flow in the creek and filling all of the dams will relieve this situation. The complaining user located below Chord's property does not use the water in the stream for any purpose, and seems to be under the impression that Mr. Chord is holding back the water.

We would like to be advised as to the specific violations. Possibly you could send me a copy of Mr. Chord's application for water permit and a copy of the water permit itself. Mr. Chord does not in any way wish to harm the lower users and does not feel that he is in any way doing so. A check of the waters as they leave his premises would show that they have not decreased from the point of entry.

Mr. Chord wishes to cooperate with the commission, and will try to comply with all regulations to the best of his ability.

With best regards to you and the staff.

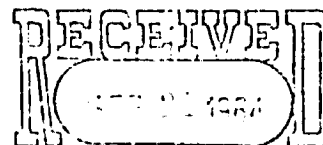
Yours very truly,


Paul H. Russell

PHR:6

LAW OFFICES OF
ROBERT C. BAKEWELL, JR.
34 NORTH 5TH
CUSTER, SOUTH DAKOTA 57730
TELEPHONE 673 2213

September 18, 1964



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Mr. Burton F. Jones
Water Rights Specialist
State Water Resources Commission
Pierre, South Dakota

Re: Lot A of MS 1481, situated in
the S 1/2 of Section 13, T 2 S, R 1
E, B10, Pennington Co., South Dakota

Dear Mr. Jones:

My client, Lettie M. Holmes, is the owner of property immediately adjacent to the above described property which is owned by one Roy Chord, and advises me that Mr. Chord has erected upon the above described property diversion pipes and ditches whereby he diverts from a flowing stream water which flows into one man made pond and from that man made pond to another, the dam for which infringes upon the property of my client, and that while there is located in this dam a pipe by virtue of which the overflow of water is intended to be returned to the flowing stream, that same is inadequate, and as a result thereof and as a result of the inadequate structure of a dam, water flows through the dam or percolates up on the property of my client so as to make that particular area unuseable.

I am uncertain as to whether or not Mr. Chord has any water right involved, but I would assume that your department would have jurisdiction and supervision over the impounding facilities of Mr. Chord. Will you advise me as to any rights that Mr. Chord may have for impounding and diverting this water, and whether in your opinion you have supervisory control over the impounding facilities.

Very truly yours,


Robert C. Bakewell, Jr.

RCB/ljb

Mr. Robert C. Bakewell, Jr.
34 No. 6th
Custer, South Dakota 57730

Re Lot A of MS 1481, situated
in the S $\frac{1}{4}$ of Section 13, T 2 S,
R 4 E, BHM, Pennington Co.,
South Dakota

Dear Mr. Bakewell:

In your letter of September 18, 1964, above reference, you inquire whether or not Mr. Roy Chord has water rights to divert water into ponds and whether the Water Resources Commission has supervisory control over the impounding facility.

Mr. Chord was granted Permit to Appropriate Water from Sunday Gulch Creek and two wells for commercial use of 1 cubic foot per second in Horse Thief Inn and for two fish propagating ponds. Qualifying conditions concerning his diversions from Sunday Gulch Creek read,

"Aside from domestic use this Permit covers non-consumptive use of water. Diversions for such use shall be limited to those period of time when the flow in Sunday Gulch Creek are obviously sufficient for existing needs by others. At no time shall the entire flow of Sunday Gulch Creek be diverted for use under this Permit, and sufficient flows shall remain in the creek to satisfy other domestic and prior water rights. Return flows from the uses recognized shall be returned to Sunday Gulch Creek."

All structures by which this water is diverted and used, as shown by his water right records, are located on Mr. Chord's property.

The Water Resources Commission has authority to grant water rights in the public water supplies pursuant to Chapter 61.01 of the 1960 Supplement to the South Dakota Code of 1939, as amended.

Mr. Robert C. Bakewell, Jr. C.

September 18, 1964

In granting such water rights, the Commission, of course, has no authority to grant interests in private property. Consequently, the Commission has supervisory control over the facilities built by Mr. Chord as they relate to diversion of the waters of Sunday Gulch Creek, but Mr. Chord has the entire responsibility with respect to locating his structures on his own land and controlling the diverted waters so that they do not do damage to others, unless he has secured permission of the other owners to use their property.

I trust that this answers your questions.

Sincerely,

J. W. Grimes

JWG:ls

NOTICE OF TRANSFER OF WATER PERMIT

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

Date JUNE 1, 1971

This is to notify you that title to the lands described as follows:
Lot 14 M.S. 1481, in Section 13 and 24, T2S, R4E

formerly owned by Roy E. Chord, Custer, S.D.

has been transferred to Red Arrow Industries (DBA Horsethief Ranch), Box 307,
Hill City, South Dakota

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No.
644-2 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 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.

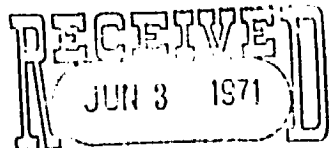
STATE OF SOUTH DAKOTA)
 County of PENNINGTON) ss.

I, CHARLES L. SCHMITT 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.

RED ARROW INDUSTRIES (DBA HORSETHIEF RANCH)
Charles L. Schmitt
 (Signed)

Suscribed and sworn to before me this 1st day of JUNE, 1971

Robert P. Collier
 (Notary Public)



STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

NOTICE OF TRANSFER OF WATER PERMIT

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

Date April 18, 1972

This is to notify you that title to the lands described as follows:
The Property described in Water License No. 644-2

formerly owned by Red Arrow Industries, Inc., Hill City, S.D.

has been transferred to Black Hills Leisure Living, Inc. D/B/A/ Horsethief Inn, Box 307
Hill City, S.D.

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 644-2 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 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 HUGHES) ss.

I, Charles E. Donnelly 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.

Charles E. Donnelly, Jr.
(Signed) Charles E. Donnelly, Jr.

Subscribed and sworn to before me this 18th day of April, 19 72

Betty Westlund
(Notary Public)
Betty Westlund, Technical Assistant
Water Resources Commission

Don Madson Dam and Crossing : Jan 25, 1981

Water Rights :

Harry Krueger

Horseshoe Resort

~~James~~

Eugene Chord

Roy Chert

Sunday

On Sunday in Honey Canyon

Mrs. Roy Alexander

Box 615

Hill City

574-2594

Const.

Franklin Walbaum =
Contractor

Forest Service (S)

NOTICE OF TRANSFER OF OWNERSHIP

No. _____

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

Date: 7/16/90



I/We request that Water Permit/Right No. 644-2

formerly owned by: BLACK HILLS LEISURE LIVING (CHARLES DONNELLY)

be transferred to: (name & address) PERRY H. AND MELY DE N. RAHN
HORSE THIEF CAMPGROUND, P.O. Box 307 HILL CITY, SD 57745
(telephone No.) (605) 574-2618

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

BLACK HILLS LEISURE LIVING TO GONZALEZ AND HORSE THIEF
CAMPGROUND TO VICTOR K JEPSEN TO PERRY H. AND MELY RAHN
(LEGAL DESCRIPTION ATTACHED)

I/We understand that the validity of Water Permit/Right No. 644-2 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 PERRY H. RAHN & MELY DE N. RAHN 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.

Perry H. Rahn Mely de N. Rahn
(Signed)

Subscribed and sworn to before me this 16th day of July, 19 90.

[Signature]
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

EXHIBIT "A"

Tract 2 of First Find Tin Lode and Lulu Tin Lode in Mineral Survey No. 904, as shown on the plat filed in Plat Book 11, Page 179, EXCEPTING therefrom that portion of said Tract 2 situated within Lulu Tin Lode; AND General Grant Lode in Mineral Survey No. 904; AND Tract C of Waco No. 7 Lode and Waco No. 9 Lode, as shown on the plat filed in Plat Book 11, Page 180; AND Tract D of Waco No. 7 Lode and Waco No. 9 Lode, as shown on the plat filed in Plat Book 11, Page 179; AND Tract No. 0021 in the Southeast Quarter of Section 13 in Township 2 South of Range 4 East of the Black Hills Meridian, as shown on the plat filed in Plat Book 21, Page 43.

All of which is subject to easements, restrictions, reservations, right-of-way and covenants of record and prior reservations of oil, gas and mineral rights of record.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412818

Pierre, July 13, 1990

RECEIVED OF Horsethief Campground, Box 307, Hill City, SD 57745-0307

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form Water Right No. 644-2	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By [Signature]
Chief Engineer

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

July 20, 1990

No. 644-2

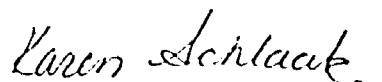
Perry H and Mely De N Rahn
Horse Thief Campground
PO Box 307
Hill City SD 57745

Dear Mr. & Mrs. Rahn:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 644-2.

Our records now show you as the owner of this Water Right.

Sincerely,



KAREN SCHLAAK
Senior Secretary
Water Rights Division
605 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

FEB 16 2010

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 644-2Date: February 12, 2010I/We request that Water Right/Permit No. 644-2 formerly owned by:HORSE THIEF CAMPGROUND

be transferred to:

New Owner Name: PAHA SAPA ADVENTURE, L.L.C.Address: 24391 HIGHWAY 87City, State, Zip HILL CITY SD 57745 Telephone No. _____

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

FROM SUNNY GULCH CREEK - NW1/4 NE 1/4 of Section 24, Township 2 South, Range 4 East of
the Black Hills Meridian, Pennington County, South Dakota

- ☒ I understand that the validity of Water Right/Permit No. 644-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, PAHA SAPA ADVENTURE, L.L.C., the new owner, certify that the above information is true and 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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/16, 20 10

RECEIVED OF First American Title (PahaSapa Adventure) 24391 Hwy 87 Billings SD 57045

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>644-2</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.

04479

By *Michael Erbe*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 23, 2010

Paul Stremick
Paha Sapa Adventure LLC
24391 Hwy 87
Hill City SD 57745

Dear Mr. Stremick:

I am writing to acknowledge receipt of the ownership change filed for Water Right No. 644-2 and Water Permit Nos. 2128-2 and 2558-2.

The transfer of each has been completed. Nos. 644-2, 2128-2 and 2558-2 formerly held by Horse Thief Campground and Resort LLC are now listed in the name "Paha Sapa Adventure LLC".

The receipts for the filing fees are being forwarded with a copy of this letter to First American Title Company in Rapid City.

If you have any questions, please contact me.

Sincerely,

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

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

c: First American Title Company, PO Box 8181, Rapid City SD

644-2

-----Original Message-----

From: Cyndi Goetze [mailto:cyndig@taxcrew.com]
Sent: Friday, February 26, 2010 4:31 PM
To: McMath, Genny
Subject: Re: Horse Thief Campground and Resort, LLC

Hello,

The PO Box is PO Box 307, Hill City, SD 57745.

Cyndi

----- Original Message -----

From: Genny.McMath@state.sd.us
To: cyndig@taxcrew.com
Sent: Friday, February 26, 2010 8:11 AM
Subject: RE: Horse Thief Campground and Resort, LLC

I sent a letter to the new owner and it came back in the mail from the post office. Do you have any additional info I could use?

Letter went to:
Paul Stremick
Paha Sapa Adventure LLC
24391 Highway 87
Hill City SD 57745

Genny

-----Original Message-----

From: Cyndi Goetze [mailto:cyndig@taxcrew.com]
Sent: Tuesday, February 23, 2010 12:42 PM
To: McMath, Genny
Subject: Re: Horse Thief Campground and Resort, LLC

Hi Genny,

The contact person for Paha Sapa Adventure LLC would be Paul Stremick or Julie Stremick-- they are both managing members of the LLC.

The address for First American Title Company is: PO Box 8181, Rapid City, South Dakota 57709-8181

Glad to help--have a good day.

644-2

**DEMERSSEMAN JENSEN
TELLINGHUISEN & HUFFMAN, LLP**

L A W Y E R S

**P.O. BOX 1820, RAPID CITY SD 57709-1820
516 FIFTH STREET, RAPID CITY SD 57701-2703**

**MICHAEL B. DEMERSSEMAN
CURTIS S. JENSEN
MICHAEL V. WHEELER
RICHARD E. HUFFMAN
GREGORY J. SPERLICH, ATTORNEY AT LAW, P.C.
ROGER A. TELLINGHUISEN**

**TELEPHONE
605-342-2814**

**FAX
605-342-0732**

May 29, 2018

**Department of Energy & Natural
Resources
523 East Capitol Avenue
Pierre, SD 57501**

RECEIVED

MAY 31 2018

**WATER RIGHTS
PROGRAM**

Gentlemen:

Enclosed herewith please find three Notice of Transfer of Ownership and our check for \$150 to cover the filing fee.

Very truly yours,

/s/ Richard E. Huffman

REH/tls
Enclosure

Richard E. Huffman reh@demjen.com
DEMERSSEMAN JENSEN
TELLINGHUISEN & HUFFMAN, LLP

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date June 5

20 18

DeMerseeman Jensen Tellinghuisen Y Huffman, LLP PO Box 1820 Rapid City, SD 577

RECEIVED OF

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	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 _____ 644-2		
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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 08651

By

Jeanne Goodman
Chief Engineer

2977

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 644-2Date: May 24, 2018

I/We request that Water Right/Permit No. 644-2 formerly owned by:
PAHA SAPA ADVENTURE, L.L.C. be transferred to:

New Owner Name: MOS-AMS, LLCAddress: 24391 HIGHWAY 87City, State, Zip HILL CITY SD 57745 Telephone No. _____

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

FROM SUNNY GULCH CREEK - NW1/4 NE 1/4 of Section 24, Township 2 South, Range 4 East of
the Black Hills Meridian, Pennington County, South Dakota

☒ I understand that the validity of Water Right/Permit No. 644-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, MOS-AMS, LLC, the new owner, certify that the above information is true and 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.

RECEIVED

MAY 31 2018

WATER RIGHTS
PROGRAM

644-2



South Dakota Secretary of State

SHANTEL KREBS

Filing Information

Name: **MOS-AMS, LLC**

General Information

SOS Business ID DL147767
Filing Type: Limited Liability Company - Domestic
05/03/2018
Status: Good Standing
Duration Term: Perpetual
Managed By: Member-Managed

Registered Agent Address

RICHARD E. HUFFMAN
516 FIFTH STREET
RAPID CITY, SD 57701

Principal Address

24391 SOUTH HIGHWAY 87
HILL CITY, SD 57745

The following document(s) was/were filed in this office on the date(s) indicated below:

Date Filed	Filing Description
------------	--------------------

05/03/2018	Initial Filing
------------	----------------

Image #

B0060-4591

File No. 644-2 ✓

2128-2

2558-2

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Richard Huffman, Attorney w/DeMersseman, Jensen, Tellinghuisen & Huffman LLP, PO Box 1820, Rapid City SD 57709-1820

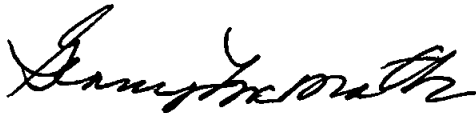
DATE: June 11, 2018

RE: ownership changes for Water Permit/Right Nos. 644-2, 2128-2 and 2558-2

COMMENTS:

The water permits/rights held by Paha Sapa Adventure LLC are being transferred to MOS-AMS LLC. I emailed Mr. Huffman because his firm had paid the filing fee and submitted the ownership changes on behalf of MOS-AMS LLC to find out a contact person to be used for correspondence and also to find out the correct mailing address.

Mr. Huffman responded to my email indicating Mark Stansberry should be listed as the contact person. The address to use for day-to-day correspondence can be directed to PO Box 307, Hill City SD 57745-0307.



Genny McMath
Water Rights Program



644-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

June 11, 2018

644-2
2128-2
2558-2

Mark Stansberry
MOS AMS LLC
PO Box 307
Hill City SD 57745-0307

Dear Mr. Stansberry:

Recently, the law firm of DeMersseman, Jensen, Tellinghuisen and Huffman submitted transfer forms and filing fees for use in changing ownership on Water Right Nos. 644-2 and 2558-2 and Water Permit No. 2128-2.

The ownership changes have been completed. The above listed numbers formerly held by Paha Sapa Adventure LLC are now listed in the name of MOS-AMS LLC.

Receipt Nos. 08691, 08692 and 08693 in the amounts of \$50 each are being sent by copy of this letter to the law firm.

If you have any questions concerning the water permit and water rights, please let us know.

Sincerely,

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

c: Richard Huffman, DeMersseman, Jensen, Tellinghuisen and Huffman w/receipts

FILE DOCUMENTATION FOR 644-2

During a licensing investigation in June 2017 for Water Permit No. 2128-2, Steve Quissell found the wells and the original use of the system as authorized under Water Right No. 644-2 are no longer used.

Water Right 644-2 appropriated 1.0 cfs from Sunday Gulch Creek and two wells with a total diversion rate of .078 cfs. The survey information as submitted on application 644-2 appears to be for wells identified as the "Millhouse well" and well #3.

The water license that was issued referencing the diversion points being from the NW 1/4 of Section 24-T2S-R4E. The reference should be from the N 1/4 of Section 24-T2S-R4E.

Water License No. 644-2 was transferred in its entirety to MOS-AMS LLC in May 2018. However, this may have been in error in that the wells are on property owned by someone other than MOS-AMS LLC. One of the ponds that was to receive water from the diversion of water from Sunday Gulch Creek is still clearly visible on Google Map. However, it can not be seen whether a physical diversion is still made from the creek. The outfall from the pond back to the creek when the pond is full is visible.

The "Millhouse well" is still known by that name by local residents and is currently owned by the Beuller Family Corporation and is not believed to have ever supplied or been connected to the campground.

Well #3 which formerly supplied the Horse Thief Lodge is now a private residence owned by Bob Irvine.

Water Right 644-2 also authorized 1 cfs from Sunday Gulch for commercial use of a swimming pool, a fish pond and recreation. The diversion point on Sunday Gulch Creek appears to be on the Irvine property.

Since ownership has changed and the use is private and no longer part of the campground, Water Right No. 644-2 will not be incorporated into licensing of No. 2128-2.