

Considered: _____

WATER PERMIT NO. 1458-1

41

HAP No. same 584-1852 or 584-3177

Name of Applicant Lead Country Club (c/o Gerald Aberle, Pres.)

Post Office Address P.O. Box 633 (620 Sunnyhill) Lead SD 57754

Amount of Water Claimed 0.22 cfs (100 gpm) Total Acres 52

Source of Water Supply groundwater - 2 wells & 2 storage dams (2.66 AF & 3.5 AF)
(see surface water)

Water to be used for irrigation County Lawrence

About 5 miles SW of Lead

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Feb 9, 1989 Fee \$150.00 Remarks _____

Corrected Application Received Mar 1, 1989 Period of Annual Use July 1 - Sept 30

WATER QUALITY APPROVAL RECEIVED Mar 22, 1989 APPROVED CONDITIONAL (Circle one)

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

Diversion Points SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, T4N, R2E

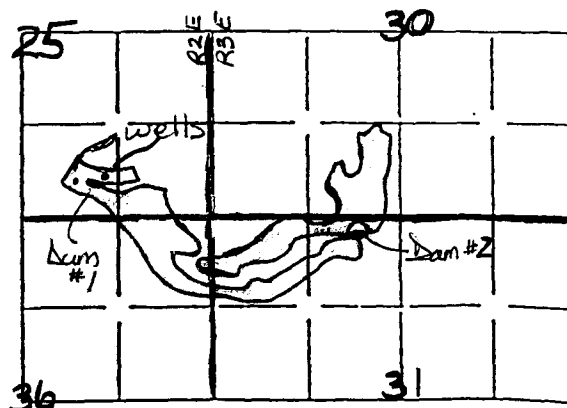
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, T4N, R3E

Land to be Irrigated SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sect. 30, T4N, R3E

S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25, T4N, R2E

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36, " "

N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 31, T4N, R3E



Well Log: Driller Taylor Drilling Co. Licensed YES X NO _____

Depth of Well 120', 405' REMARKS Drilled in Sept. 1988

Type of Map plat PREPARED BY Robert J. Sliper Reviewed and the Number

assigned on March 22, 1989 By Susan A. Brown

SOUTH DAKOTA
WATER PERMIT No. 1458-1 FOR IRRIGATION

Date of first receipt of application February 9, 1989.

Date Soil/Water Compatibility Permit received March 22, 1989.

Date returned to applicant for required corrections, amendments or changes February 14, 1989.

Date of receipt of corrected application March 1, 1989.

The Water Management Board approved Water Permit Application No. 1458-1 on May 10, 1989 and the readvertisement on July 26, 1989 for Lead Country Club, c/o Gerald Aberle, President, P.O. Box 633, Lead, South Dakota 57754 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

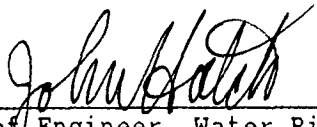
1. Water Permit No. 1458-1 corrects the original notice published on April 12 and 19, 1989 for Water Permit Application No. 1458-1. The published notice incorrectly described the location of Dam No 2 and did not specifically include surface water that enters the dams. Water Permit No. 1458-1 appropriates 0.22 cubic feet of water per second from 2 wells (Precambrian Rock, Deadwood) 120 and 405 feet deep located in the SW1/4 SE1/4 Section 25-T4N-R2E and stores water in two dams. Dam No. 1, with a 2.66 acre-feet capacity, is located in the SW1/4 SE1/4 Section 25-T4N-R2E and is interconnected to Dam No. 2, with a 3.5 acre-feet capacity, the correct location of which is the NE1/4 NW1/4 Section 31-T4N-R3E. Both dams are to store water produced by the wells and surface water runoff. Water is to be used to irrigate 52 acres of a golf course located in the S1/2 SE1/4 Section 25; NE1/4 NE1/4 Section 36; all in T4N-R2E; and in the N1/2 NW1/4 Section 31; SE1/4 SW1/4 Section 30; all in T4N-R3E.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - September 30.
3. The date from which applicant may claim right is February 9, 1989.
4. One-fifth of the construction is to be completed on or before January 26, 1992.
5. All construction is to be completed on or before July 26, 1994.
6. Water is to be put to beneficial use on or before July 26, 1998.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Approval of Permit No. 1458-1 authorizes storage of 1) 2.66 acre-feet in Dam No. 1 and 2) 3.50 acre-feet in Dam No. 2.
4. The statutory limit of 1.0 cfs per 70 acres (.074 cfs (333 gpm) to irrigate 52 acres for this permit) may not be exceeded when pumping from the dam pursuant to Permit No. 1458-1 unless the time of each water application is reduced to a corresponding equivalent time period and the total amount of water applied does not exceed 24 inches per year.

WATER MANAGEMENT BOARD

By: _____


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

SEP 12 1989

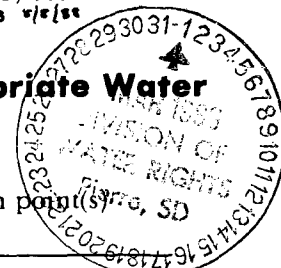
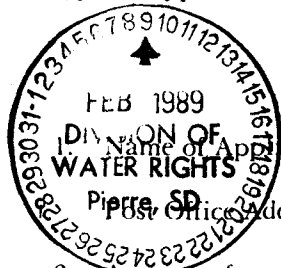
(date)

(See instructions)

No. 1458-1 Hydrologic Unit 10120203
Basin Belle Fourche R.
Newspaper Lead Daily Call Box 876 57754 (daily)

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____



1. Name of Applicant Lead Country Club (Gerald Aberle Pres.) Phone No. 584-1852
Gerry Aberle
Post Office Address PO Box 633 (620 Sunnyhill) Lead State SD Zip Code 57754
(Street, RR or Box) (City)

- Amount of water claimed (c.f.s.) .223 (100 GPM) Total acres irrigated -47- 52
- Source of water supply ground water (2 wells) 2 or more water wells (Deadwood formation) & 2 dams
- Location of point of diversion SW 1/4 x SE 1/4, Sec. 25, Twp 4N, Rq 2E - Wells #1 & 2: & Dam #1
NE 1/4, NW 1/4, Sec 31, T4N, R3E - Wells 3 & 4 (if necessary); SW 1/4 x SE 1/4, Sec 25, T4N, R2E -
Dam #1; NE 1/4 x NW 1/4, Sec 31, T4N, R3E - Dam #2 County Lawrence
- Counties where water will be used Lawrence
- Annual period during which water is to be used July 1 - Sept. 30
- List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
SW 1/4 x SE 1/4, Sec 25, T4N, R2E	4.2 5
SE 1/4 x SE 1/4, Sec 25, T4N, R2E	2.8 3
NE 1/4 x NE 1/4, Sec 36, T4N, R2E	9.7 10
NW 1/4 x NW 1/4, Sec 31, T4N, R3E	14.3 16

Land Description	No. Acres Irr.
NE 1/4 x NW 1/4, Sec 31, T4N, R3E	-3.9- 4
SE 1/4 x SW 1/4, Sec 30, T4N, R3E	42.5- 14
Total	47.4- 52

Attach sheet if more space is needed

- Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ (Specify) X Other: _____
- Crops to be Irrigated: Various Grasses (Bent, Kentucky, Blue, etc.)
- Give a description of proposed project. (Attach sheet if more space is needed)

See General & Proposed Project

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

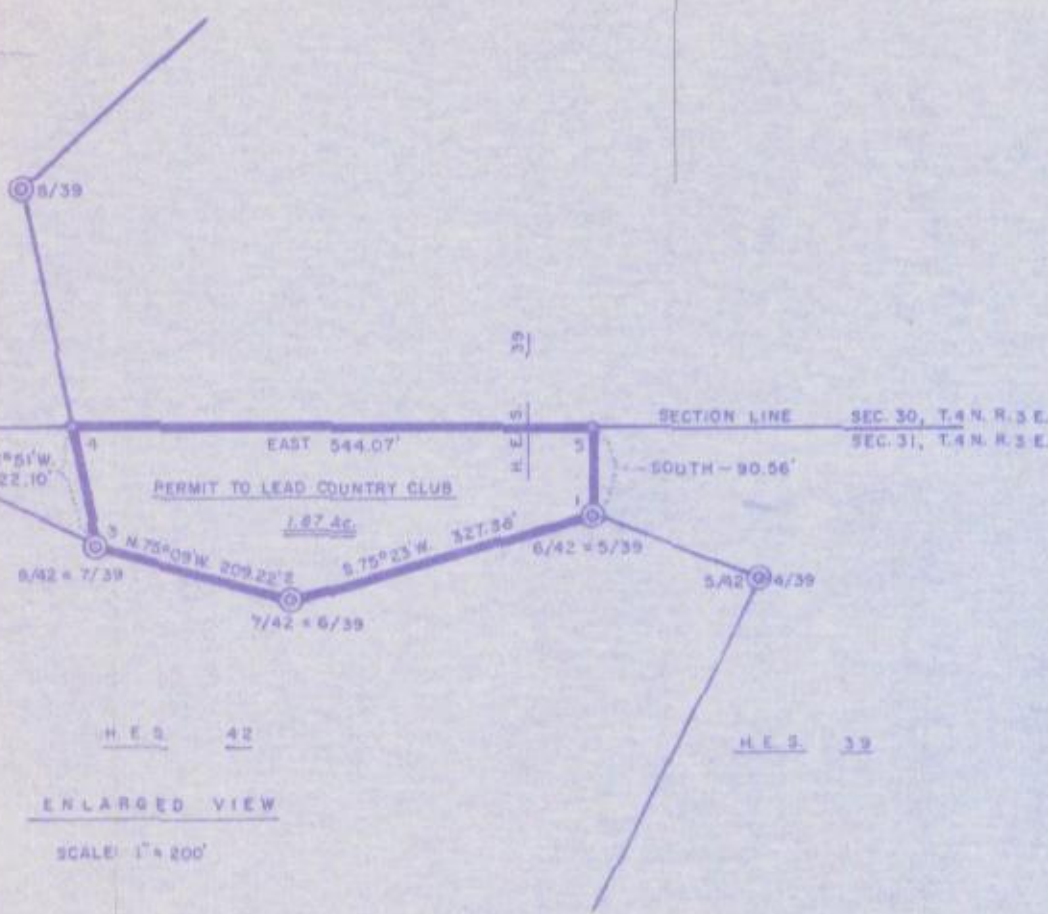
STATE OF SOUTH DAKOTA)
County of Law.)^{ss}

I, Gerald Aberle, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Gerald M. Aberle

Subscribed and sworn to before me this 6 day of July 1989

Diane Carda
Notary Public

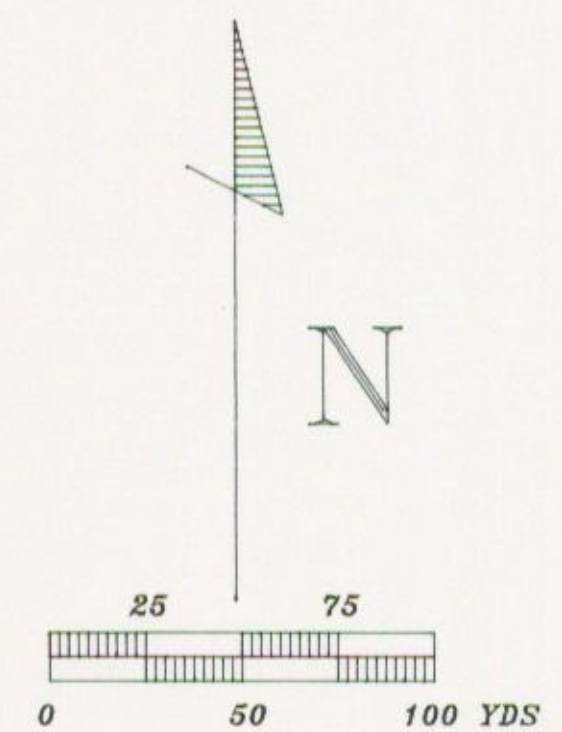


LEAD COUNTRY CLUB

LEGEND

- TREES
- ROUGH
- WATER
- FENCE
- UNDERGROUND CULVERT
- IRRIGATION BOUNDARY

CLUBHOUSE



Supplemental InformationProducing Well #1
(First Well Drilled)

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 6 $\frac{1}{4}$ Depth 120'
- b) Casing Type Steel Diameter 5 $\frac{1}{2}$ " Thickness .250"
- c) Screen Type None Diameter Thickness
- d) Gravel Pack Thickness None Length of Gravel Pack
- e) Depth to Top of Water Bearing Material 75'
- f) Depth to Water (ground surface to water level) 67'
- g) Distance to nearest existing domestic well:
- On applicants property 2200' On property owned by others 4000'

2. Dugout Information Estimates

- a) Surface Dimensions NA Depth NA
- b) Depth to water (ground surface to water level) NA

Additional Information

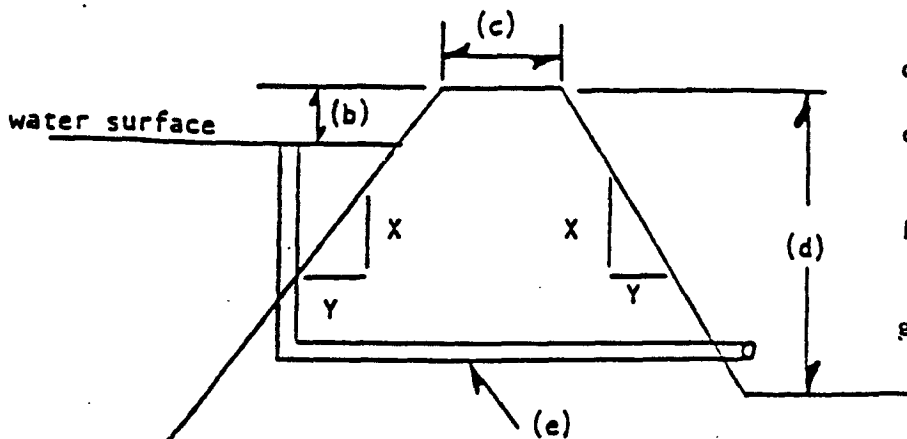
- Producing well #1 was the first well drilled by Taylor Drilling Company, Sept. 5, 6 & 7th. 1988.
- (1.g) Producing Well #1 is located 4000' SE of nearest residence located on Rochford Road (See Surface Topo Map). The second well drilled, is located about half way between the nearest residence and producing wells #1 & 2. This well was drilled to the Precambrian contact @ 340' vs 365' in producing well #2, indicating a slight inclination of the strata of +1 - 2° NW. Well logs from the Englewood Cemetery area show that the Precambrian was encountered @ 380', indicating inclination + 2 - 3° SE to the second well drilled. Based on this well data, it is the opinion of Ralph Taylor Jr. (Driller & Geologist); Rick Bachman (Homestake Geologist); and David Thorton (Homestake Geologist) that a geologic high exists between the Country Club's producing wells and the nearest domestic wells. The existence of this geologic high at depth is consistent with local topography & inclination of limestone bedding on surface. It is therefore unlikely that the Country Club wells would effect a draw down on any domestic wells as they lie in separate recharge areas.
- Ralph Taylor Jr. inaccurately located the well on the Water Well Completion Report. Robert Sliper, Registered Land Surveyor, locates the well @ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec 25, Twp 4N, Rg 2E.

Storage Dam #2

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

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

None



b) Freeboard 4' Min.

c) Crest Width 16' Min.

Crest Length 112'

d) Height 15' Max.

e) Primary Outlet Capacity 1224 GPM
If Pipe, diameter See Below

f) Secondary Spillway Capacity 29,590 GPM
Spillway width 12" X 25'

g) X & Y Slope
Upstream 2.5 : 1

Downstream 1.75 : 1

Surface Area of Impoundment 16,944 ft.²

Storage 3.50 acre feet

Drainage area above dam 3 acres

Signature of Applicant

4-87

Additional Information

1. Storage Dam #2 is located on #2 Fairway (See Country Club Map). The Dam is fed via 4" pipeline from Dam #1 & is used to store water for the Lower Course Irrigation Network (See Irrigation Schematic).
2. (c) The minimum crest width is 16' located at the highest point on the crest. Maximum crest width is 20', where the crest turns upstream on either flank of the dry gulch.
3. (d) The maximum crest height is 15' at the center of the downstream slope. The average crest height is 9' across the downstream slope.
4. (e) Primary outlet capacity is the combined total of the 4" drain pipe under 10' of water, plus the 4" pump intake at maximum pump capacity of 560 GPM.
5. (f) The dam is fed only by pump discharge (500 GPM) from Dam #1. It is unlikely that the secondary spillway will ever be needed as primary outlet capacity is more than double the filling capacity.

Supplemental Information

(type or print in ink)

Producing Well #2
(3rd. Well Drilled)

Well Information - Proposed construction

- a) Drill Hole Diameter 6 $\frac{1}{4}$ Depth 405'
- b) Casing Type Steel Diameter 5 $\frac{1}{2}$ " Thickness .250"
- c) Screen Type None Diameter Thickness
- d) Gravel Pack Thickness None Length of Gravel Pack
- e) Depth to Top of Water Bearing Material 295'
- f) Depth to Water (ground surface to water level) 57'
- g) Distance to nearest existing domestic well:
- On applicants property 2500' On property owned by others 4300'

Dugout Information Estimates

- a) Surface Dimensions NA Depth NA
- b) Depth to water (ground surface to water level) NA

Additional Information

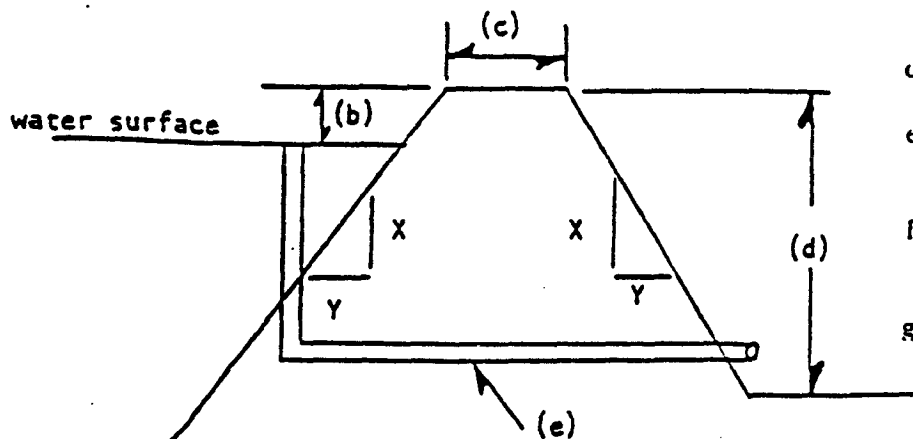
- Producing Well #2 was the 3rd. well drilled by Taylor Drilling Company, Sept. 11, 12, & 13th 1988.
- (1.g) Producing Well #2 is located 4300' SE of nearest residence located on Rochford Road (See Surface Topo Map). The second well drilled, is located about half way between the nearest residence and producing well #1 & 2. This well was drilled to the Precambrian contact @ 340' vs 365' in producing well #2, indicating a slight inclination of the strata of +1 - 2°NW. Well logs from the Englewood Cemetery area show that the Precambrian was encountered @ 380', indicating inclination + 2 - 3° SE to the second well drilled. Based on this well data, it is the opinion of Ralph Taylor Jr. (Driller & Geologist); Rick Bachman (Homestake Geologist); and David Thorton (Homestake Geologist) that a geologic high exists between the Country Club's producing wells and the nearest domestic wells. The existence of this geologic high at depth is consistent with local topography & inclination of limestone bedding on surface. It is therefore unlikely that the Country Club wells would effect a draw down on any domestic wells as they lie in separate recharge areas.
- Ralph Taylor Jr. inaccurately located the well on the Water Well Completion Report. Robert Sliper, Registered Land Surveyor, locates the well @SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec 25, Twp 4N, Rg 2E.

Storage Dam #1

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

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

None



b) Freeboard 3' Min.

c) Crest Width 12' Min.

Crest Length 320' overall

d) Height 14' Max.

e) Primary Outlet Capacity 1740 GPM
If Pipe, diameter overflow & pump
intake

f) Secondary Spillway Capacity 29,590 GPM
Spillway width 12" X 25'

g) X & Y Slope
Upstream 2 : 1 max.

Downstream 2 : 1 max.

Surface Area of Impoundment 14,500 ft.²

Storage 2.66 acre feet

Drainage area above dam 400 acres

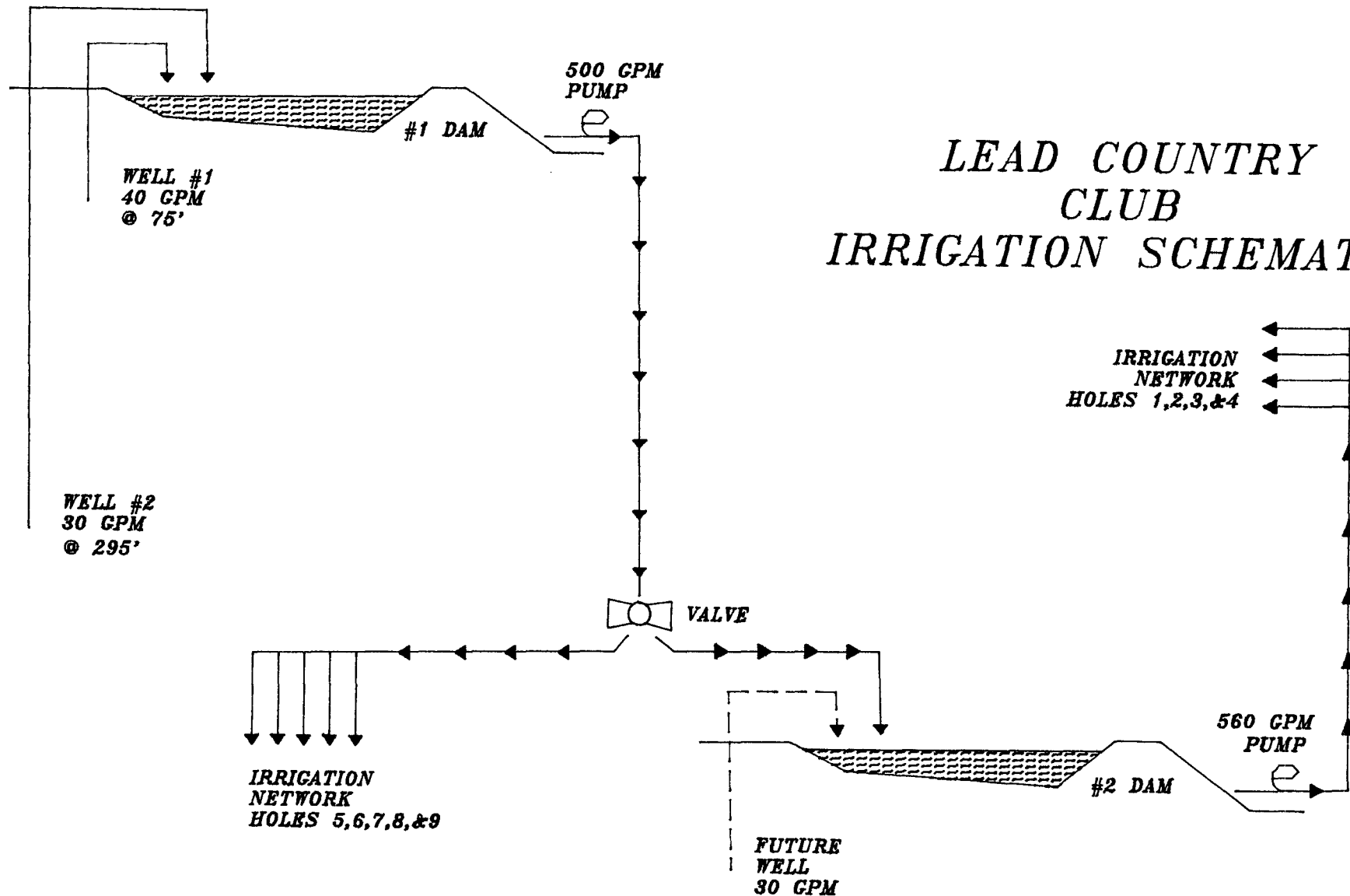
Signature of Applicant

4-87

Additional Information

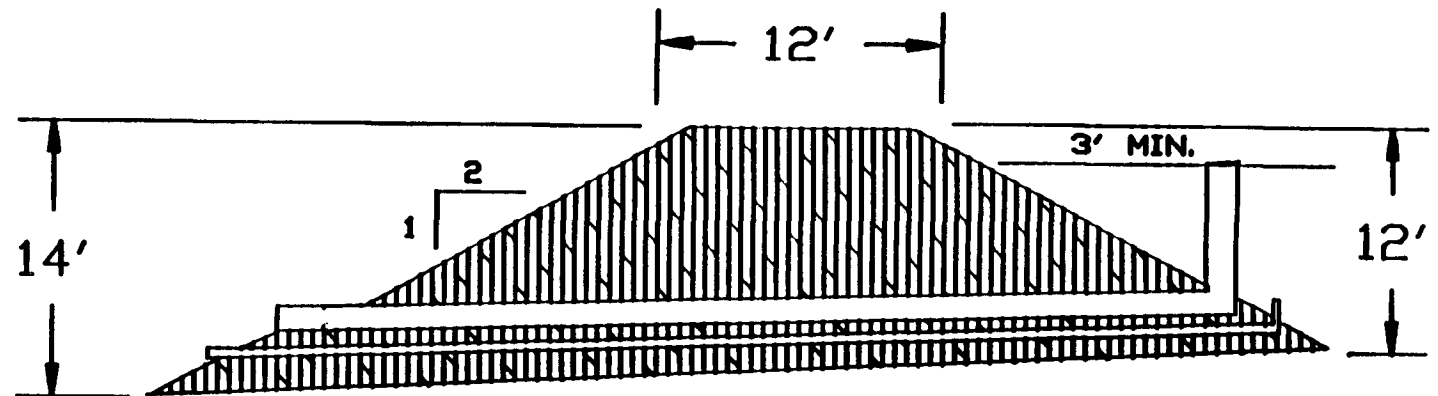
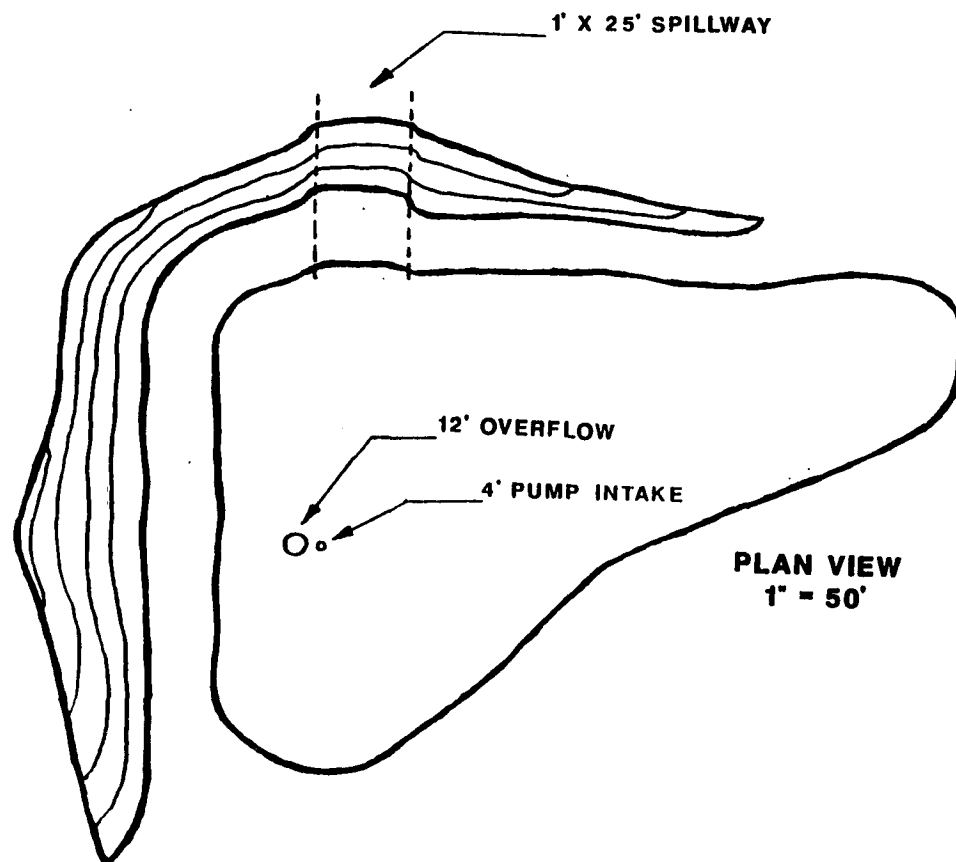
- Storage Dam #1 is located adjacent #8 fairway (See Country Club Map). Both wells #1 & 2 feed directly into the Dam from which water can either be pumped to Storage Dam #2 or to the future Upper Course Irrigation Network (See Irrigation Schematic).
- (c) The minimum crest width is 12', located at the highest point on the crest. The maximum crest width is 16' where the crest turns approximately 90° up #8 fairway (See irrigation Dam #1).
- (d) The maximum crest height is 14' at the center of the downstream slope. The average crest height is approximately 6' running up #8 fairway & across the downstream slope.
- (e) The primary outlet capacity is the combined total of the 12" overflow pipe under 1' of water, plus the 4" pump intake at maximum pump capacity of 500 GPM.
- (f) The 1' X 25' spillway has run over only once in 30 years service, and only because the 12" overflow plugged.
- (g) The drainage area above the dam is approximately 400 acres (see Surface Topo). The entire area is heavily vegetated forest and generates little run-off under storm conditions.

LEAD COUNTRY CLUB IRRIGATION SCHEMATIC



LEAD COUNTRY CLUB

#1 IRRIGATION DAM



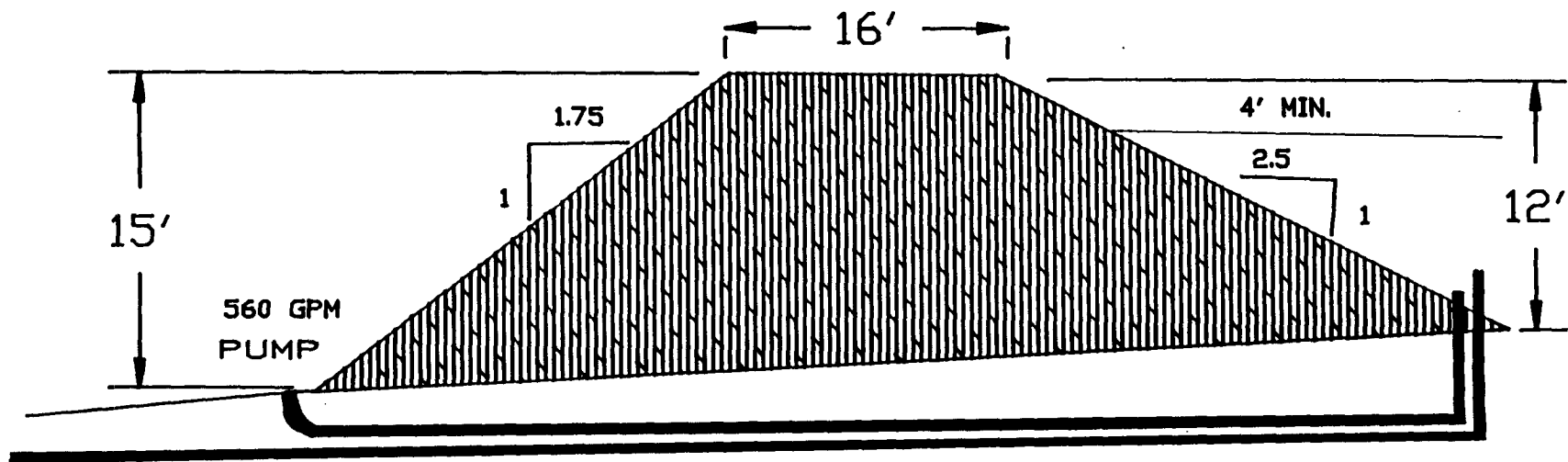
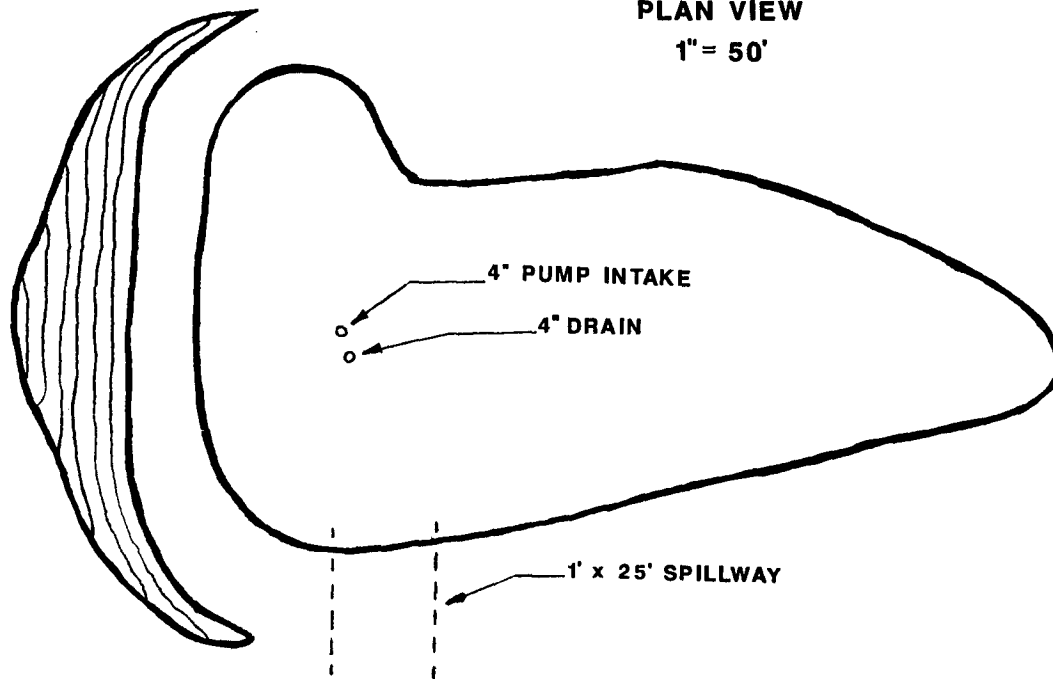
X-SECTION THRU CREST

LEAD COUNTRY CLUB

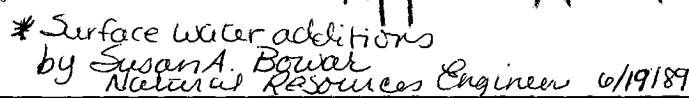
#2 IRRIGATION DAM

PLAN VIEW

1" = 50'

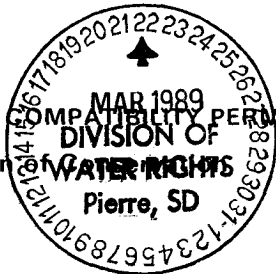


X-SECTION THRU CREST



Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
DIVISION OF WATER RIGHTS
Pierre, SD



Office Use Only

4348

WR#

OWNERS NAME: Lead Country Club OWNERS ADDRESS: Gerald Aberle, Pres.
PO Box 633 (620 Sunnyhill)
Lead, SD 57754

COUNTY LAND LOCATED IN: Lawrence PHONE: 584-1852/584-3177

LEGAL DESCRIPTION: ☒ Well ☒ Surface
1. LOCATION SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25-T4N-R2E (2 wells & 1 dam) NE $\frac{1}{4}$ NW $\frac{1}{4}$ (1 dam) Sec. 31-T4N-R3E
Depth _____

Legal Description	Acres	Legal Description	Acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25-T4N-R2E	5	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31-T4N-R3E	4
SE $\frac{1}{4}$ SE $\frac{1}{4}$ " "	3	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30-T4N-R3E	14
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36-T4N-R2E	10		
SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31-T4N-R3E	16	TOTAL ACRES =	52

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: _____
(Specify) sprinkler

3. CROPS TO BE IRRIGATED: various grasses (Kent, Kentucky, Blue, etc.)

WATER QUALITY:	
4. WATER SAMPLE NUMBER: <u>89-0058</u>	7. ADJUSTED (SAR): <u>0.06</u>
5. SALINITY (EC X 10 ⁶): <u>450</u>	8. PERCENT SODIUM <u>0.92</u>
6. SODIUM (SAR): <u>0.03</u>	

Requirements: Areas with slope greater than 9% present an erosional hazard. These areas are restricted from irrigation, unless contouring & other conservation practices are used to reduce the erosional hazards.

Areas of less than 20 inches to bedrock shall not be irrigated, with the exception of tee boxes & greens. Saturation of these areas can occur very quickly & adversely affect the immediate area or an adjacent area.

John Chisholm
Director, Division of Conservation
March 24, 1989
Date

☒ APPROVED ☐ REQUIREMENTS
☐ DISAPPROVED
☐ WAIVER

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411634

Pierre, February 9, 1989

RECEIVED OF The Lead Country Club, Lead SD, 57754

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

Fee for Application for Permit No. <u>1458-1</u> to Appropriate Water, to construct works and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	150 00

By

Chief Engineer

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location 1/4 W 1/4 Sec 31 Twp 4N Rg 3E

Well Owner:

Name Lead Country ClubAddress RR 1 Lead, SD 57754

Well Log:

Depth

Formation

From

To

clay + gravel015clay1535green shale3560yellow + red sandy shale60195hard gray shale195295green ss295350gray dolomite350365graphitic schist365405

County

LaurensBase mark well
location with
"X"

W

E

1 mile

Well Completion Date Well # 3 9/13/88

PROPOSED USE:

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

Method of Drilling:

Air Rotary

Casing DATA:

☐ Steel ☐ Plastic ☐ Other

Other describe _____

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER

15 LB/FT 5 1/2 IN 0 FT 302 FT 6 1/4 IN

_____ LB/FT _____ IN _____ FT _____ FT _____ IN

_____ LB/FT _____ IN _____ FT _____ FT _____ IN

_____ LB/FT _____ IN _____ FT _____ FT _____ IN

ROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 302 FEETWhat is grouting material? cementcement, number of sacks? 21Describe grouting procedure pressure groutedthrough casingWhat was grout weight? 15 LB/GALSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Hole Size _____ Set From _____ Feet To _____ Feet

Hole Size _____ Set From _____ Feet To _____ Feet

Hole Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

So, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOplain granular chlorine placed in wellMicrobiological analysis ☐ YES ☒ NO

Laboratory sent to _____

STATIC WATER LEVEL 57 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped☐ BailedDescribe: air developed☒ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

basal Deadwood
quartzite is missing here.This well was drilled under license # 331

And this report is true and accurate.

Drilling firm TAYLOR DRILLING COMPANY

Signature of License Representative:

Ralph Taylor Jr

Signature of Well Owner:

Date 10/11/88

SOUTH DAKOTA WATER WELL COMPLETION REPORT

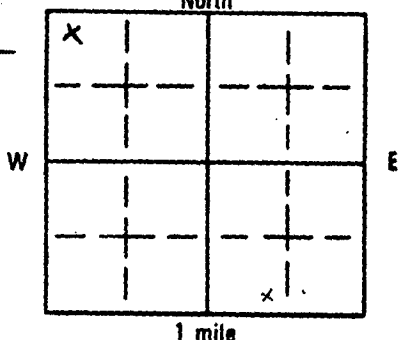
10-85

Location NW 1/4 NW 1/4 Sec 31 Twp 4N Rg 3ESW 1/4 SE 1/4 Sec 25 Twp 4N Rg 2E

County

Lawrence

Please mark well location with an "X"



Well Owner:

Name Lead Country ClubAddress RR 1 Lead, SD 57754

Well Log:

Depth

Formation

From

To

brown clay + gravel	0	13
brown + green shale	13	40
gray shale	40	75
yellow brown ss	75	120

all intermediate bedrockWell Completion Date Well # 1 9/7/88

PROPOSED USE:

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

Method of Drilling:

Air Rotary

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

Other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>15</u> LB/FT	<u>5 1/2</u> IN	<u>0</u> FT	<u>82</u> FT	<u>6 1/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

STATIC WATER LEVEL 67 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pi.

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 82 FEETWhat is grouting material? cementCement, number of sacks? 20Describe grouting procedure pressure grouted
through casingWhat was grout weight? 15 LB/GALSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

So, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NODisinfectant granulated chlorine placed in wellMicrobiological analysis ☐ YES ☒ NO

Laboratory sent to _____

WELL TEST DATA:

☐ Pumped☐ BailedDescribe: air developed☒ Other

Pumping Level Below Land Surface

120 ft. After 3 Hrs. pumped 40 GP

_____ ft. After _____ Hrs. pumped _____ GP

_____ ft. After _____ Hrs. pumped _____ GP

REMARKS:

This well was drilled under license # 331

And this report is true and accurate.

Drilling firm TAYLOR DRILLING COMPANY

Signature of License Representative:

Ralph Taylor Jr.

Signature of Well Owner:

Date 10/11/88

INDEX

TEXT

- I General & Proposed Project
- II Application
- III Well # 1
- IV Well # 2
- V Storage Dam # 1
- VI Storage Dam # 2
- VII Soil Description

MAPS

- I Country Club Map
- II Irrigation Schematic
- III Point of Diversion
- IV Surface Topo (wells)
- V Surface Topo (drainage)
- VI Soils Map

LEAD COUNTRY CLUB APPLICATION

General

The Lead Country Club is located 6 miles southwest of Lead at the intersections of the Hanna and Rochford roads. The course has been operated since the early 1920's by the membership of the club on land owned by Homestake Mining Company (HES 39 & 42). All physical improvements to the property such as buildings, greens, tee boxes, equipment, storage dams, wells and the irrigation system are owned by the organization and managed by an elected Board of Directors.

The Lead Country Club provides its' recreational facility to approximately 120 permanent members and their families, as well as 2500 - 4000 non-members annually. In addition, the club has maintained a free physical education program in cooperation with the Lead-Deadwood Schools and the local YMCA.

Although the course is nearly 70 years old, an adequate irrigation system has never been installed. While limited irrigation has been conducted with surface water, the club is totally dependent on snowmelt and rainfall to maintain adequate grass on the fairways.

The existing irrigation system consists of a holding dam, pumps, and a 2" and 4" pipe network to tee boxes and greens around the course. The holding dam, built in the 1950's to collect flowing spring water from the surrounding area, has a capacity of approximately 2.7 acre feet and is generally adequate for green and tee box watering. Any additional irrigation of fairway areas is impossible due to the limited quantity of available surface water.

Proposed Project

The Lead Country Club proposes to pump a total of 100 GPM from wells drilled on the property to irrigate 47 acres of greens and fairways. Three wells were drilled in September 88' for this purpose, of which one was dry and subsequently plugged. The other two wells drilled, produced a combined total of 70 GPM, and were subsequently capped pending the States' consideration of this application. A third producing well is required to provide an additional 30 GPM in the future.

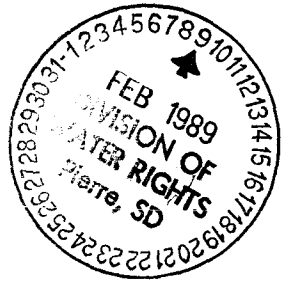
Water pumped from the wells will be stored in the existing storage dam adjacent #8 fairway and new storage dam constructed across #2 fairway (See Country Club Map). The two dams are connected by 4" diameter pipeline which permits direct pumping from dam #1 into dam #2. Irrigation of the course is zoned into upper and lower course networks with dams #1 and #2 central to each, thus minimizing pumping distances and reducing line losses due to friction (See Irrigation Schematic).

Construction of the basic water supply and storage facility is currently 80% complete; however, no water has been pumped other than surface water to greens and tee boxes thru existing pipelines.

Design of the new upper and lower course irrigation networks is expected to be completed by early spring in a cooperative effort by the Lead Country Club, Rainbird Co. and Northwest Pipe Co. in Rapid City. Construction of the automated sprinkler systems is expected to begin in the fall of 1989 and completed in 3 phases over the next 3 to 5 years; however, irrigation with water produced from the new wells will begin during the summer of 1989 thru the existing system.

The golf season begins mid to late May and ends late September to early October. Irrigation of the course, however, is not necessary until about the first of July as moisture from snowmelt and rainfall is generally adequate. In fact, standing water in the low lying areas of the course is a greater problem in June than lack of moisture.

February 3, 1989



John Hatch, Chief Engineer
Water Rights Division, Joe Foss Building
Department of Water & Natural Resources
523 East Capitol
Pierre, SD 57501

Dear Sir:

A total of 3 wells were drilled at the Lead Country Club in late September, 1988. The second well drilled was dry (2GPM) and was immediately plugged as per SDCL 46-6-27. The other two wells; well #1 and #3, produced a total of 70GPM and were cased and capped pending the approval of a permit for next years irrigation season.

The Lead Country Club has in the past conducted limited irrigation with surface water on the property, however, the Club did not have any irrigation wells prior to last summer.

I currently expect to have the required permit information to Pierre no later than February 10th for consideration at the next meeting of the Management Board.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jerry Aberle".

Jerry Aberle, President
Lead Country Club
605-584-3177



Department of Water & Natural Resources

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

February 14, 1989

Gerald Aberle, President
Lead Country Club
P.O. Box 633
Lead, SD 57754

Dear Mr. Aberle:

This is in response to the water permit application received from you on February 9, 1989.

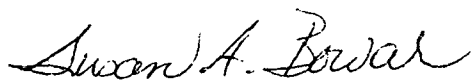
The application is incomplete for the following reason(s):

- (1) No. 3 on the enclosed application form indicates " 2 or more " wells. The number of wells that you intend to use must be specific. In addition, the location of the additional well(s) needs to be specified on the application form and the enclosed map. Will they also be located in the SW 1/4 SE 1/4 Section 25, T4N, R2E ?
- (2) The 47 acres to be irrigated needs to be outlined on the enclosed map and the number of acres in each 40 acre subdivision needs to be listed on the enclosed application (i.e., NE 1/4 NE 1/4 Section 36, T4N, R2E; SE 1/4 NE 1/4 Section 36, T4N, R2E; NW 1/4 NW 1/4 Section 31, T4N, R3E, etc.).
- (3) The location of each of the dams needs to be added to No.4, Location of the point of diversion, on the enclosed application form.

The Water Management Board cannot consider a water permit application until it is complete. Please specify the number of wells, the number of acres in each 40 acre subdivision on both the enclosed application form and map, add the locations of each of the dams to question No. 4, and return them to begin processing of your water permit application.

Feel free to contact us if you have any questions.

Sincerely,



Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosure



Conversation or File Documentation

NAME OF PERSON OR FILE: Lead Country Club (Gerald Aberle)
ADDRESS: P.O. Box 633 Lead, SD COUNTY Lawrence
DATE: March 9, 1989 TELEPHONE 584-3177
RE: Permit Application

COMMENTS:

Jim Stukel called today about this permit application.
Apparently there are no wells in the area ^{that} wells #3 & #4
are to be located to take a water sample from. A
SW permit cannot be issued for these proposed wells.
Jim had talked to Mr. Aberle. Wells #3 & #4 will be
removed from the application. I called Mr. Aberle
and told him that when & if these 2 wells need
to be developed (during the construction period) he
should submit an application to amend the permit.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: SA. Bower

REPORT ON APPLICATION NO. 1458-1
LEAD COUNTRY CLUB
April 4, 1989

This application proposes to appropriate 0.22 cfs from two wells, 120 and 405 feet deep located in the SW 1/4 SE 1/4 of Section 25, T4N, R2E and to store water in two dams. Dam #1, with a 2.66 acre-feet capacity is located in the SW 1/4 SE 1/4 of Section 25, T4N, R2E and Dam #2, with a 3.50 acre-feet capacity, is located in the NE 1/4 NW 1/4 of Section 31, T4N, R3E. The water will be used to irrigate 52 acres of a golf course located in the S 1/2 SE 1/4 of Section 25, NE 1/4 NE 1/4 of Section 36; all in T4N, R2E; and in the N 1/2 NW 1/4 of Section 31, SE 1/4 SW 1/4 of Section 30; all in T4N, R3E of Lawrence County.

Aquifer - Deadwood Formation (DDWD) and Pre Cambrian Rock

The Deadwood Formation consists of sandstones, shales and carbonate rocks which have a measured thickness of about 400 feet at the type section at Deadwood. Test well drilling submitted with the application indicates a total thickness of about 350 feet of Deadwood is present at the site. Records submitted with the application indicate Well #1 was capable of 40 gpm for 3 hours and no production data is submitted for Well #2. The static water levels are reported to be 67 and 57 feet below land surface respectively. The Deadwood Formation underlies 428,800 acres and contains an estimated 7.5 million acre feet of recoverable water in Lawrence County (Allen, 1984).

The aquifer is under artesian conditions at the site, however, Well #1 is only under a few feet of head pressure. There is not sufficient data to evaluate the direction of groundwater flow, however, movement would likely be eastward from the well site toward Whitewood Creek. This area is a recharge area for the Deadwood and is bounded by hydrologic boundaries (at least partial barriers) of Spearfish Creek to the west and Whitewood Creek to the east. The Division of Water Rights does not monitor any observation wells in this area and historical water level data is lacking.

Review of Existing Water Rights

Records indicate there is one nearby Water Permit No. 1202-1 issued to R. M. Dungey. This permit authorizes irrigation of 42 acres with 0.6 cfs from Sue Springs and a dam. This dam is apparently located just upstream of Dam #1 for this application. It is unlikely that diversions from these wells will affect that existing diversion. Also there are a number of domestic wells in the area which obtain water from the Deadwood Formation (Well Files, 1989). This application indicates the nearest domestic

well is over 1/2 mile from the production wells. Because of the low pumping rate, the distance between wells and the seasonal nature of water use, interference should not be a problem.

Conclusions

1. Water is available from the Deadwood Formation.
2. Interference is not likely to cause a problem because of distances, low pumping rates and seasonal usage.
3. The well interference clause should be included as a condition of this permit if approved.
4. The records of the domestic wells in Water Rights files indicated these wells were completed into the Deadwood and generally contain 30-40 feet of water. Determining if these wells are adequate by law would be on a case by case situation.
5. The use of surface water is not included with this application. Surface water is being used. I think a separate application should be filed to include surface water and clarify diversion rates. Stream diversions would have be be considered.


JAMES A GOODMAN, P.E.
Hydrologist

Bibliography

Allen, J. C., Etal, 1984, Analysis of Ground Water and Streamflow Data Western Dakotas Region of South Dakota, Task 3 and 4, Ground Water Resource Inventory, for US Army Corps of Engineers, DWNRR, SDGS, Vermillion SD 57069.

Well Files, 1989, Driller's Logs for T4N, R3E, Lawrence County, SD DWNRR, Division of Water Rights, Joe Foss Bldg, Pierre SD.

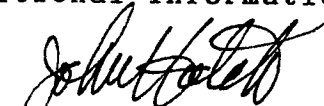
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1458-1, Lead Country Club

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1458-1, Lead Country Club, c/o Gerald Aberle, PO Box 633, Lead SD.

The Chief Engineer is recommending APPROVAL of Application No. 1458-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Approval of Permit No. 1458-1 authorizes storage of 1) 2.66 acre-feet in Dam No. 1 and 2) 3.50 acre-feet in Dam No. 2.
4. The statutory limit of 1.0 cfs per 70 acres (0.74 cfs (333 gpm) to irrigate 52 acres for this permit) may not be exceeded when pumping from the dams pursuant to Permit No. 1458-1 unless the time of each water application is reduced to a corresponding equivalent time period and the total amount of water applied does not exceed 24 inches per year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
April 4, 1989



Department of Water & Natural Resources

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

April 5, 1989

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

Lead Country Club
c/o Gerald Aberle
PO Box 633
Lead SD 57754

Dear Mr. Aberle:

Water Permit Application No. 1458-1 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Lead Daily Call printed at Lead SD. For your information, a copy of the notice is enclosed. The recommendation of the Chief Engineer and a report on the application will be sent later. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

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

April 5, 1989

Lead Daily Call
Box 876
Lead SD 57754

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 1458-1 to be published twice. Please publish the first notice on or before April 12, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Lead Country Club, c/o Gerald Aberle, PO Box 633, Lead SD 57754.

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

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Ron Duvall
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

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

Name

Newspaper



Instruction to Newspaper - Publish first Notice on or before April 12, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1458-1 to Appropriate Water

Notice is given that Lead Country Club, c/o Gerald Aberle, PO Box 633, Lead SD 57754 has filed an application for a water permit to appropriate 0.22 cubic feet of water per second from two wells (Pre Cambrian Rock) 120 and 405 feet deep located in the SW 1/4 SE 1/4 Section 25, T4N, R2E and to store water in two dams. Dam #1, with a 2.66 acre-feet capacity is located in the SW 1/4 SE 1/4 Section 25, T4N, R2E. Dam #2, with a 3.50 acre-feet capacity, is located in the NE 1/4 NW 1/4 Section 31, T4N, R3E. Water will be used to irrigate 52 acres of a golf course located in the S 1/2 SE 1/4 Section 25, NE 1/4 NE 1/4 Section 36; all in T4N, R2E; and in the N 1/2 NW 1/4 Section 31, SE 1/4 SW 1/4 Section 30; all in T4N, R3E.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1458-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on May 10, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by April 28, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant 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. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by April 28, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, { ss.
COUNTY OF LAWRENCE



Bill T. Masterson, Jr., of said county and state, being
duly sworn, on his oath says: That the Lead Daily Call Deadwood Pioneer Times

is a legal newspaper of general circulation, printed and published in Lead,
in said county and state, by the Seaton Publishing Company, and has been
such a newspaper during the times hereinafter mentioned; and that I,
Bill T. Masterson, Jr., the undersigned, am the
Business Manager of the said newspaper, in charge of the advertising
department thereof, and have personal knowledge of all the facts in this
affidavit, and that the advertisement headed

NOTICE OF HEARING ON APPLICATION NO. 1458-1 TO APPROPRIATE WATER - LEAD COUNTY CLUB

a printed copy of which is hereto attached, was printed in said newspaper
for TWO successive and consecutive WEEK, the respective publi-
cations thereof being made on April 12 19 89
and on April 19 19 89

_____, 19_____
_____, 19_____
_____, 19_____
_____, 19_____
_____, 19_____
_____, 19_____

and the last publication thereof on _____, 19_____
and that the full amount of fees charged for publishing the same, to-wit:
the sum of \$ 42.93, inures solely to the benefit of aforesaid
publisher and that no arrangement or understanding for a division thereof
has been made with any person other than the publisher, and that no part
thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me this 19th
day of April, 19 89



Notary Public, Lawrence County, S. Dak.

My commission expires 10-24-1996, 19____

NOTICE OF HEARING on Application No. 1458-1 To Appropriate Water

Notice is given that Lead County Club, c/o Gerald Akerle, PO Box 633, Lead, SD 57754 has filed an application for a water permit to appropriate 0.22 cubic feet of water per second from two wells (Pre Cambrian Rock, Deadwood) 120 and 405 feet deep located in the SW 1/4 SE 1/4 Section 25, T4N, R2E and to store water in two dams. Dam #1, with a 2.66 acre-foot capacity is located in the SW 1/4 SE 1/4 Section 25, T4N, R2E. Dam #2, with a 3.50 acre-foot capacity, is located in the NE 1/4 NW 1/4 Section 31, T5N, R3E. Water will be used to irrigate 52 acres of a golf course located in the S 1/2 SE 1/4 Section 25, NE 1/4 NE 1/4 Section 36; all in T4N, R2E; and in the N 1/2 NW 1/4 Section 31, SE 1/4 SW 1/4 Section 30; all in T4N, R3E.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1458-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD on May 10, 1989 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by April 28, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E.

Capitol, Pierre, SD 57501 (605-773-

3352). The petition may be informal,

but must include a statement describ-

ing the petitioner's interest in the ap-

plication, the petitioner's reasons for

opposing or supporting the application

and the signature and mailing address

of the petitioner or legal counsel if le-

gal counsel is obtained. The applicant

need not file a petition. Contact the

Water Rights Division to request in-

formation on this application or to

assure access to the hearing by the

handicapped.

This hearing is an adversary pro-

ceeding. Any person filing a petition

and/or the application 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. The time of

the hearing will also be automatically

delayed for at least twenty days upon

written request to the Chief Engineer

from the applicant or a petitioner.

The request for a delay must be re-

ceived by April 28, 1989.

This application is made pursuant

to SDCL 46-1-1 thru 46-1-12

thru 46-1-15; 46-2-3-1, 46-2-9, 46-2-

11, 46-2-13, 46-2-17; 46-2A-1 thru

46-2A-10, 46-2A-12, 46-2A-14, 46-

2A-15; 46-5-1 thru 46-5-11, 46-5-13

thru 46-5-15, 46-5-24, 46-5-25, 46-5-

302, 46-5-304, 46-5-31; 46-6-3, 46-6-

3, 1, 46-6-6-1, 46-6-10, 46-6-13, 46-6-

14; and Board Rules ARSD

74-00-2-1 thru 74-02-01:15.

April 12, 1989

 **Department of
Water & Natural Resources**

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

May 5, 1989

Gerald Aberle, President
Lead Country Club
PO Box 633
Lead SD 57754

Dear Mr. Aberle:

I am writing to advise you that the legal notice of hearing for Application No. 1458-1 published in the Lead Daily Call on April 12 and 19, 1989 is not correct.

A portion of the legal notice describing the location of dam No. 2 was published incorrectly by the newspaper. Enclosed is a copy of the published notice and the notice as sent to the newspaper. The newspaper was informed of the error after the first publication; however, the correction did not get printed in the second publication. As a result of the publication error, the legal notice will need to be readvertised to specify the correct location of dam No. 2. Readvertisement of the notice is needed to ensure that the application is free from legal problems due to inaccurate and incomplete public notice. The information needed to readvertise the notice will be sent to you and the newspaper at a later date.

Application No. 1458-1 will be considered at the May 10, 1989 Water Management Board meeting for those portions of the application advertised correctly. Consideration of dam No. 2 will be deferred until the notice can be readvertised to specify the correct location.

Please contact me if you have any questions.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enc.

cc: Lead Daily Call
Jeri Mykleby, homeowner's representative



 **Department of
Water & Natural Resources**

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

June 23, 1989

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

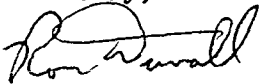
Gerald Aberle
Lead Country Club
PO Box 633
Lead, SD 57754

Dear Mr. Aberle:

A readvertisement of the notice of hearing for Water Permit No. 1458-1 has been sent to the Publisher of the Lead Daily Call printed at Lead SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation will be sent to you at a later date. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures



 **Department of
Water & Natural Resources**

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

June 28, 1989

Lead Daily Call
Box 876
Lead, SD 57754

Dear Sir:

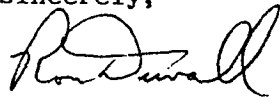
Enclosed is a Notice of Hearing on Application No. 1458-1 to be published twice. Please publish the first notice on or before June 28, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. This notice is a readvertisement of the notice published in your paper on April 12 and 19, 1989. Due to publishing errors on the original notice, this notice needs to be readvertised.

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

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Ron Duvall
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

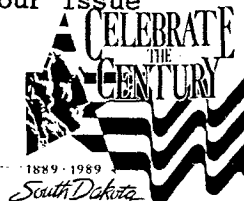
No. _____

Date _____

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

Name _____

Newspaper _____



Instruction to Newspaper - Publish first Notice on or before June 28, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

READVERTISEMENT OF NOTICE OF HEARING on Application No. 1458-1 to Appropriate Water

Notice is given that Lead Country Club, c/o Gerald Aberle, PO Box 633, Lead, SD 57754 made an application for a water permit on February 9, 1989. Readvertisement of this notice is to correct the original notice published on April 12 and 19, 1989 for Water Permit Application No. 1458-1. The published notice incorrectly described the location of Dam No. 2 and did not specifically include surface water that enters the dams. Water Permit No. 1458-1 was advertised to appropriate 0.22 cubic feet of water per second from 2 wells (Precambrian Rock, Deadwood) 120 and 405 feet deep located in the SW1/4 SE1/4 Section 25-T4N-R2E and to store water in two dams. Dam No. 1, with a 2.66 acre-feet capacity, is located in the SW1/4 SE1/4 Section 25-T4N-R2E and is interconnected to Dam No 2, with a 3.5 acre-feet capacity, the correct location of which is the NE1/4 NW1/4 Section 31-T4N-R3E. Both dams are to store water produced by the wells and surface water runoff. Water is to be used to irrigated 52 acres of a golf course located in the S1/2 SE 1/4 Section 25, NE1/4 NE1/4 Section 36; all in T4N-R2E; and in the N1/2 NW1/4 Section 31, SE1/4 SW1/4 Section 30; all in T4N-R3E.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of the readvertisement of Application No. 1458-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This readvertisement will be considered by the Water Management Board at the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City, SD, July 26, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this readvertisement based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 14, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the readvertisement, the petitioner's reasons for opposing or supporting the readvertisement and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this readvertisement or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant 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. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 14, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, } ss.
COUNTY OF LAWRENCE

Bill T. Masterson, Jr., of said county and state, being
duly sworn, on his oath says: That the Lead Daily Call Deadwood Pioneer Times

is a legal newspaper of general circulation, printed and published in Lead,
in said county and state, by the Seaton Publishing Company, and has been
such a newspaper during the times hereinafter mentioned; and that I,
Bill T. Masterson, Jr., the undersigned, am the
Business Manager of the said newspaper, in charge of the advertising
department thereof, and have personal knowledge of all the facts in this
affidavit, and that the advertisement headed _____

READVERTISEMENT OF NOTICE OF HEARING ON APPLICATION No. 1458-1 TO APPROPRIATE WATER

a printed copy of which is hereto attached, was printed in said newspaper
for Two (2) successive and consecutive weeks, the respective publi-
cations thereof being made on June 28, 1989

and on _____, 19____

_____ 19____

_____ 19____

_____ 19____

_____ 19____

and the last publication thereof on July 4, 1989

and that the full amount of fees charged for publishing the same, to-wit:
the sum of \$ No charge, inures solely to the benefit of aforesaid
publisher and that no arrangement or understanding for a division thereof
has been made with any person other than the publisher, and that no part
thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me this 13th

day of July, 1989

Notary Public, Lawrence County, S. Dak.

My commission expires 10-24-1994, 19____



READVERTISEMENT OF NOTICE OF HEARING on Application No. 1458-1 to Appropriate Water

Notice is given that Lead Country
Club, c/o Gerald Aberle, PO Box 633,
Lead, SD 57754 made an application

for a water permit on February 9,
1989. Readvertisement of this notice
is to correct the original notice pub-
lished on April 12 and 19, 1989 for
Water Permit Application No. 1458-
1. The published notice incorrectly
described the location of Dam No. 2
and did not specifically include sur-
face water that enters the dams. Wa-
ter Permit No. 1458-1 was advertised
to appropriate 0.22 cubic feet of water
per second from 2 wells (Precambrian
Rock, Deadwood) 120 and 405 feet
deep located in the SW 1/4 SE 1/4
Section 25-T4N-R2E and to store
water in two dams. Dam No. 1, with a
2.66 acre-feet capacity, is located in
the SW 1/4 SE 1/4 Section 25-T4N-
R2E and is interconnected to Dam
No. 2, with a 3.5 acre-feet capacity,
the correct location of which is the
NE 1/4 NW 1/4 Section 31-T4N-R3E.
Both dams are to store water pro-
duced by the wells and surface water
runoff. Water is to be used to irrigate
52 acres of a golf course located in the
S 1/2 SE 1/4 Section 25, NE 1/4 NE
1/4 Section 36; all in T4N-R2E; and
in the N 1/2 NW 1/4 Section 31, SE
1/4 SW 1/4 Section 30; all in T4N-
R3E.

Pursuant to SDCL 46-2A-2, the
Chief Engineer of the Water Rights
Division recommends APPROVAL of
the readvertisement of Application
No. 1458-1 because 1) unappropriated
water is available, 2) existing rights
will be not be unlawfully impaired, 3)
it is a beneficial use of water and 4) it
is in the public interest. This
readvertisement will be considered by
the Water Management Board at the
Hilton Inn, Deerfield Room, 445 Mt.
Rushmore Road, Rapid City, SD on
July 26, 1989 at 10:00 a.m. The Chief
Engineer's recommendation is not
final or binding upon the Board. The
Board is authorized to 1) approve, 2)
approve with qualifications, 3) defer
or 4) deny this reapplication based on
the facts presented at the public
hearing.



Lawrence County Newspapers

Any interested person that intends

to participate in the hearing before

the Board by presenting evidence or

cross-examining witnesses according

to SDCL 1-26, must file a written pe-

tition with BOTH the applicant and

Chief Engineer by July 14, 1989. The

Chief Engineer's address is "Water

Rights Division, Foss Building, 523 E.

Capitol, Pierre, SD 57501 (605 773-

3352)". The petition may be informal,

but must include a statement describ-

ing the petitioner's interest in the

reapplication, the petitioner's reasons

for opposing or supporting the reap-

plication and the signature and mail-

ing address of the petitioner or legal

counsel if legal counsel is obtained.

The applicant need not file a petition.

Contact the Water Rights Division to

request information on this reapplica-

tion or to assure access to the hearing

by the handicapped.

This hearing is an adversary pro-

ceeding. Any person filing a petition

and/or the applicant have the right to

be represented by a lawyer. These and

other due process rights will be for-

feited if not exercised. Decisions of

the Board may be appealed to the

Circuit Court and State Supreme

Court as provided by law. The time of

the hearing will also be automatically

delayed for at least twenty days upon

written request to the Chief Engineer

from the applicant or a petitioner.

The request for a delay must be re-

ceived by July 14, 1989.

This application is made pursuant

to SDCL 46-1-1 thru 46-1-9, 46-1-12

thru 46-1-15; 46-2-3, 46-2-9, 46-2-

11, 46-2-13; 46-2-17; 46-2A-1 thru

46-2A-10, 46-2A-12, 46-2A-14, 46-

2A-15; 46-5-1 thru 46-5-11, 46-5-13

thru 46-5-15; 46-5-24, 46-5-25, 46-5-

30,2, 46-5-30,4, 46-5-31; 46-6-3, 46-6-

3,1, 46-6-6,1, 46-6-10, 46-6-13, 46-6-

14; and Board of Water Rights

74:02:01-01 thru 74:02:01-15.

June 28, July 4

L-766

April 27, 1989
(date)

page 1

Parties of Record before Water Management Board regarding Water Permit
Application No. 1458-1, Lead Country Club

Proponent :

Gerald Aberle, President

Lead Country Club

PO Box 633

Lead SD 57754

Interested :

Jeri Mykleby

Box 265

Lead SD 57754

representing homeowner's :

Robert D. Mykleby

Bernard Johnson

Martha Johnson

Jerald Stewart

Betty L. Stewart

Raymond D. & Judy R. Meverden

Jerry Sargent

Martha S. Geffre

William Geffre

Lee Ann Sargent

Annette M. Wagner

Joseph J. Wagner

Richard Wilczynski

William D. Mason

Sally A. Mason

Barbara A. Wilczynski

Howard Thiesse

Sandra Thiesse

(continued)

Interested :

(homeowners continued)

Fern Covell

Wm. J. Covell, Sr.

Casey Sterna

Robin Sterna

September 7, 1988

John Hatch
Chief Engineer
Water Rights Division
Department Water and Natural Resources
Joe Foss Building
Pierre, SD 57501-3181



Dear Mr. Hatch:

As homeowners within the immediate area of the Lead Country Club, we wish to express our concerns about the wells that are being drilled by Taylor Drilling, as contractors, for the Lead Country Club.

Jeri Mykleby spoke with Mr. Ken Buhler on August 29, 1988 and again on September 7, 1988 to discuss the process for stating our concerns over the possibility of being without adequate water due to the wells being constructed at the Lead Country Club.

Mr. Buhler was very helpful and on August 29th said that the Lead Country Club would have to obtain a permit for the wells and at the time the notice of hearing was published in the newspaper we should formally petition the board and also we should appear at the hearing to voice our concerns. On Sept. 6th we learned that one of the wells was drilled and tested at 40 to 50 gpm and that the digging for the second well was to begin within a few days.

We would like to be assured that the appropriated amount of water for the Lead Country Club will not affect our domestic water supply and if our water supply is affected we would like a guarantee that, at no expense to the homeowners, we will be supplied adequate water.

We would like to thank both you and Ken Buhler for your time concerning this matter. Any correspondence should be sent to Jeri Mykleby, P. O. Box 265, Lead, SD 57754.

Sincerely,

The Homeowners listed below.

Jeri Mykleby
Robert DeMykleby
Bernard Johnson
Martha Johnson
Stella K. Stewart
Zetty L. Stewart
Judy G. Mewenden
Raymond L. Mewenden
Jenny Sargent
Martha S. Lippe

Lee Ann Sargent
Annette M. Wagner
Joseph J. Wagner
Richard W. Wajnski
William D. Mason
Sally A. Mason
Barbara A. Wajnski
Edward St. Thiesse
Sandra Thiesse
William Lippe

 **Department of
Water & Natural Resources**

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

May 22, 1989

NOTICE

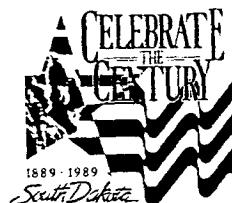
TO: Gerald Aberle, President
Lead Country Club
PO Box 633
Lead SD 57754
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer 
Water Rights Division
Pierre SD 57501

SUBJECT: Approval of Water Permit Application No. 1458-1, Lead
Country Club

This notice is to inform you that on May 10, 1989, the Water Management Board approved Water Permit Application No. 1458-1. Approval of Permit No. 1458-1 is subject to the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Approval of Permit No. 1458-1 authorizes storage of 1) 2.66 acre-feet in Dam No. 1.
4. The statutory limit of 1.0 cfs per 70 acres (0.74 cfs (333 gpm) to irrigate 52 acres for this permit) may not be exceeded when pumping from the dams pursuant to Permit No. 1458-1 unless the time of each water application is reduced to a corresponding equivalent time period and the total amount of water applied does not exceed 24 inches per year.



May 22, 1989

NOTICE

Page 2

Approval of Permit No. 1458-1 does not authorize use of dam No. 2. The notice of hearing published on April 12 and 19, 1989 in the Lead Daily Call contained a publication error regarding the legal description of dam No. 2. An investigation regarding surface runoff to Dam Nos. 1 and 2 also needs to be completed prior to the notice being readvertisted to correct the legal description of the dam and include any surface water used by the Country Club. A hearing date for the Board to consider dam No. 2 will be included in the readvertisement notice.

Decisions of the Water Management Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

A copy of the report and recommendation of the Chief Engineer are enclosed.

cc: John Haak, Assistant Attorney General

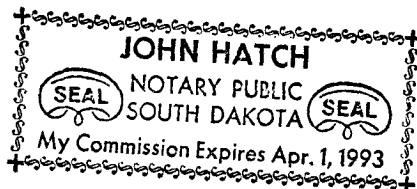
CERTIFICATION

I hereby certify that on May 22, 1989 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Approval of Water Permit Application No. 1458-1 addressed as stated on the Parties of Record Sheet.

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 23rd day of May, 1989.



John Hatch
Notary Public



Department of Water & Natural Resources

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

SEP 12 1989

Gerald Aberle, President
Lead Country Club
P.O. Box 633
Lead, SD 57754-0633

Dear Mr. Aberle:

Enclosed is Water Permit No. 1458-1 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is fluid and cursive, with the first name "John" being more prominent than the last name "Hatch".

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



GREAT FACES. GREAT PLACES.

February 1, 1991

G ABERLE, LEAD COUNTRY CLUB
PO BOX 633
LEAD SD 57754

DEPARTMENT OF WATER & NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit No(s) 1458-1

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 1458-1. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 1458-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s) 1458-1 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: G ABERLE, LEAD COUNTRY CLUB PO BOX 633 LEAD SD 57754	4. Article Number P 694 057 414 Type of Service: <table> <tr> <td>☐ Registered</td> <td>☐ Insured</td> </tr> <tr> <td>☒ Certified</td> <td>☐ COD</td> </tr> <tr> <td>☐ Express Mail</td> <td>☐ Return Receipt for Merchandise</td> </tr> </table> Always obtain signature of addressee or agent and DATE DELIVERED.	☐ Registered	☐ Insured	☒ Certified	☐ COD	☐ Express Mail	☐ Return Receipt for Merchandise
☐ Registered	☐ Insured						
☒ Certified	☐ COD						
☐ Express Mail	☐ Return Receipt for Merchandise						
5. Signature — Addressee X	8. Addressee's Address (ONLY if requested and fee paid)						
6. Signature — Agent X <i>Wally Danks</i>							
7. Date of Delivery 2-3-91							

PS Form 3811, Apr. 1989

★ U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 19, 1991

1458-1

Lead Country Club
% Gerry Aberle
620 Sunnyhill
Lead, SD 57754

Dear Mr. Aberle:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Permit No. 1458-1. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date July 15, 1991

TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181

(Jerry Aberle) (620 Sunnyhill) (Lead SD 57754)
FROM: Lead Country Club Box 633 Lead SD 57754
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 1458-1.

Water Permit No. 1458-1 states that the diversion system is to be constructed by Lead Country Club, and that the water it put to beneficial use by Lead Country Club.

The diversion system was completed on 5/1/89.
Applying the water to beneficial use was completed on 9/30/90.

You may schedule an inspection so that the Water License may be issued.

[Signature]
signature

1458-1



12/13/92

Dear Mr. Hatch,

Please find enclosed the annual water questionnaire and Notice of Completion of Works & Application of Water to Beneficial Use Form.

The irrigation system has been complete & in use for approximately 2 years at the Lead Country Club. I've communicated with your office on a couple of occasions by telephone the project's status and also showed Cathy Bower the system, however, to my knowledge a final inspection has not been conducted. A winter inspection of the system is nearly impossible because of the heavy snowfall. I would therefore like to be scheduled for a spring/summer/fall inspection during 1993 so that a Water License may be issued.

Sincerely,
Gerald Olm
For: The Lead Country Club



**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date 12/13/92

TO: Water Rights Division, DWR
Joe Foss Building
Pierre SD 57501-3181

FROM:

Gerald M. Aberle
name

620 Sunnyhill
address

Lead SD 57754
city

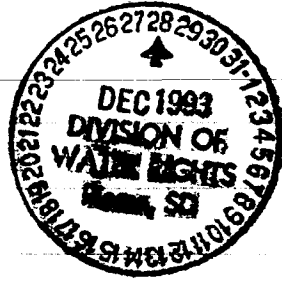
I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. _____.

Water Permit No. 1458-1 states that the diversion system is to be constructed by 7/26/1994, and that the water it put to beneficial use by 7/26/1998.

The diversion system was completed on Sept 1988.
Applying the water to beneficial use was completed on Sept 1990.

You may schedule an inspection so that the Water License may be issued.

Gerald M. Aberle
signature



12/17/93

Dear Mr. Duval,

Please find enclosed a copy of the letter I sent with last years questionnaire - To my knowledge the system @ the Lead Country Club has still not been inspected, nor has a Water License been issued, nor has a priority date been established.

Please contact me at one of the following phone numbers at your convenience - I would very much like to schedule an inspection for this Spring/Summer - I'm certain that your office has been busy, but I want to make sure that we (Lead Country Club) don't miss any "Permit" deadlines and that we get a proper Priority Date.

Home 584-3177
Work 584-4701

Thanks
Jerry Abrite
Lead Country Club.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 25, 1994

1458-1

Gerald Aberle
Lead Country Club
Box 633
Lead, SD 57754

Dear Mr. Aberle:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 1458-1, has been completed. Your final water right document, the Water License, can now be issued.

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

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

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

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

RECEIPT

414138

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ April 19 _____, 19⁹⁴

RECEIVED OF The Lead Country Club, Lead, SD 57754

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1458-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Blatchford
Chief Engineer

Permit No. 1458-1Water District: Belle Fourche

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

I have this day made a thorough examination of the water use system constructed by Lead Country Club of 620 Sunnyhill, Lead, SD 57754 holder of Permit No. 1458-1, bearing the priority of February 9, 1989 authorizing the diversion of 0.22 cu.ft. per second of groundwater and storage of 6.16 ac.ft for irrigation purposes, in Lawrence County.

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

A. Works used to divert the water:

Two submersible pumps, 40 gallons per minute of capacity each.

Two submersible motors, 1 1/2 and 5 horse power.

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

3900 feet of 2 and 4 inch pipes.

C. Works used to apply water to beneficial use:

Water is for irrigation of a golf course using various size of nozzles.

The system is in the following conditions: Very good The point of diversion is located: Dam No. 1 and Well No. 1 and 2: Approximately 604 feet north, 1630 feet west from the Southeast corner of Section 25, T4N-R2E (SW1/4 SE1/4); Dam No. 2: approximately 1690 feet east and 240 feet south from the Northwest corner of Section 31, T4N-R3E (NE1/4 NW1/4).

The works are capable of diverting and conveying to the place of use 0.18 cu.ft. per second of groundwater which is used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

T4N-R2E

SE1/4 SE1/4 Sec. 25 3.0 ac.

SW1/4 SE1/4 Sec. 25 5.0 ac.

N
SE1/4 NE1/4 Sec. 36 10.0 ac.

T4N-R3E

NW1/4 NW1/4 Sec. 31 16.0 ac.

NE1/4 NW1/4 Sec. 31 4.0 ac.

SE1/4 SW1/4 Sec 30 14.0 ac.

Jim

comprising a total of 52.0 acres of land and the license should be issued for 0.18 cfs
and storage of 6.16 ac.ft. Application permit qualifications have been complied
with Y Yes No

Exceptions to compliance are: None

Date: 5/20/92

M. Ahadi

M. RASSOOL AHADI

Natural Resources Engineer III

DENR, Water Rights Division

DIVERSION POINT LEGAL LOCATION: SW1/4 SE1/4 Section 25, T4N-R2EWELL INFORMATION: Well Drilling Firm Taylor Drilling

- a) Pump 1) make Submersible No. of Wells 2 Depth(s) 120 feet
2) model c) Casing: 1) diameter 5 1/2 inches
3) size inches 2) length 82 feet
4) capacity 40 GPM 3) type Steel
5) turbine pump - No. of stages d) Screen: 1) type None
6) operating pressure PSI 2) length feet
- b) Motor: 1) make Submersible e) Static Water Level 70 feet
2) model No.
3) horsepower rating 1 1/2 HP

DISTRIBUTION LINES OR CANALS:

- a) type Polyvinyl Chloride (PVC) b) size 2-4 inches c) length 3900 feet

DAM INFORMATION:

- a) height to crest 14 feet k) outlet tubes:
b) height to primary spillway 11 feet 1) diameter 4 inches
c) height to secondary spillway ** feet 2) type PVC
d) crest width 16 feet 3) valved N (Y/N)
e) crest length 320 feet 4) valve type
f) spillway length 25 feet 5) location on structure
g) spillway width 1 feet
h) approximate storage 2.66 ac-ft
j) date constructed 1950's
- l) category of dam III (I,II,III)
m) inspection sheet completed N (Y/N)
n) name of contractor: Unknown

** A pump with a capacity of 500 gallons per minute is used to divert water out of the dam.

DIVERSION POINT LEGAL LOCATION: SW1/4 SE1/4 Section 25, T4N-R2EWELL INFORMATION: Well Drilling Firm Taylor

- a) Pump 1) make Submersible No. of Wells 2 Depth(s) 405 feet
 2) model c) Casing: 1) diameter 5 1/2 inches
 3) size inches 2) length 302 feet
 4) capacity 40 GPM 3) type Steel
 5) turbine pump - No. of stages d) Screen: 1) type None
 6) operating pressure PSI 2) length feet
- b) Motor: 1) make Submersible e) Static Water Level 60 feet
 2) model No.
 3) horsepower rating 5 HP

DISTRIBUTION LINES OR CANALS:

- a) type Polyvinyl Chloride (PVC) b) size 2-4 inches c) length 3900 feet

Water from Well No.1 and Well No.2 flows into Dam No.1 (See Well No. 1 inspection sheet).

~~REPORT ON INSPECTION OF PERMIT NUMBER 1458-1~~ Dam No. 2

DATE 5/2/92

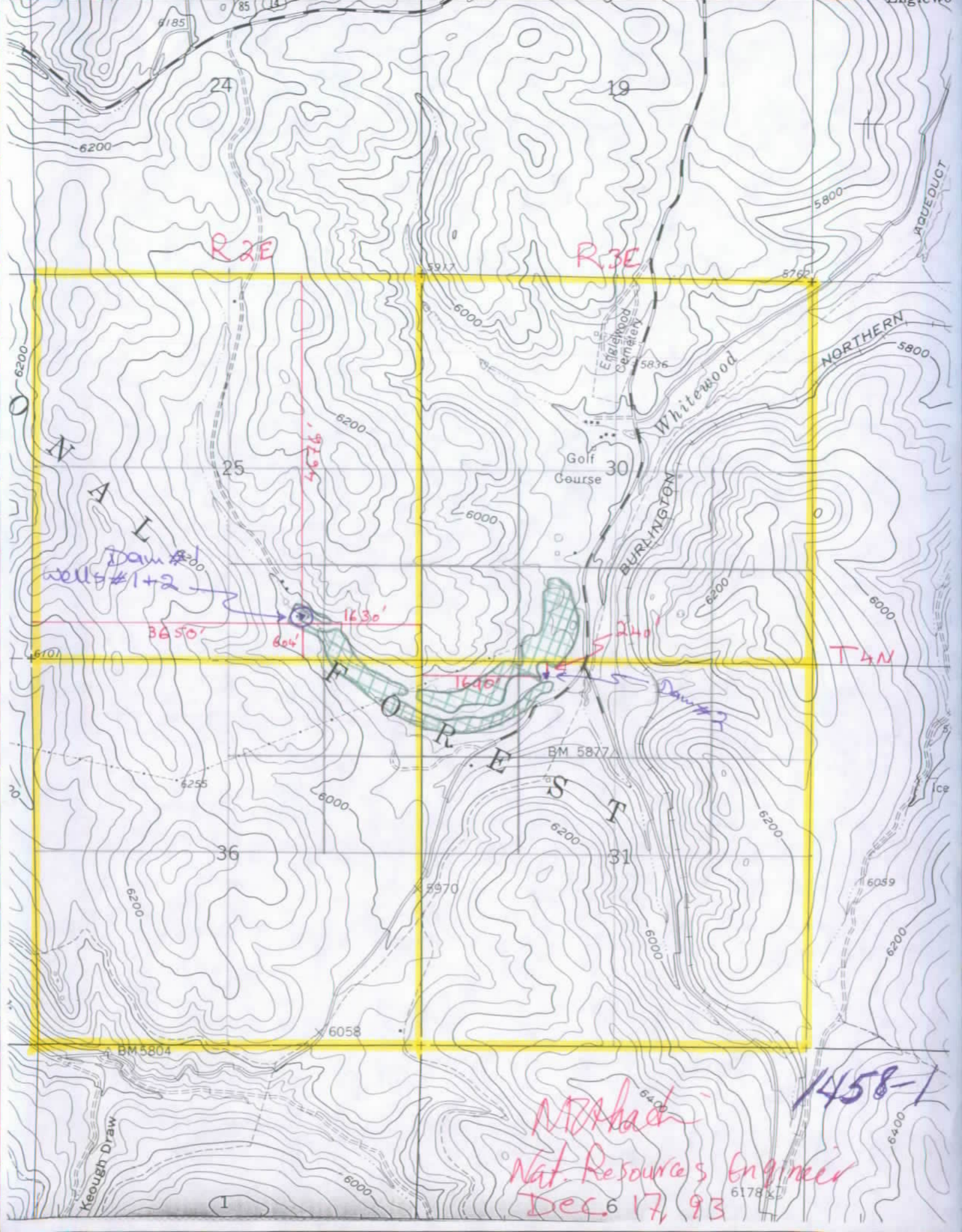
DIVERSION POINT LEGAL LOCATION: NE1/4 NW1/4 Section 31, T4N-R3E

DAM INFORMATION:

- | | |
|--|--|
| a) height to crest <u>15</u> feet | k) outlet tubes: |
| b) height to primary spillway <u>11</u> feet | 1) diameter <u>4</u> inches |
| c) height to secondary spillway <u>--</u> feet | 2) type <u>PVC</u> |
| d) crest width <u>16</u> feet | 3) valved <u>N</u> (Y/N) |
| e) crest length <u>112</u> feet | 4) valve type |
| f) spillway length <u>25</u> feet | 5) location on structure |
| g) spillway width <u>0.33</u> feet | |
| h) approximate storage <u>3.5</u> ac-ft | |
| i) approximate storage to crest ac-ft | |
| j) date constructed <u>1950's</u> | 1) category of dam <u>III</u> (I,II,III) |
| | m) inspection sheet completed <u>N</u> (Y/N) |
| | n) name of contractor: <u>Unknown</u> |

PERMIT QUALIFICATIONS AND REGULATIONS:

- a) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y (Y/N)
- b) Special qualifications to permit being abided by Y (Y/N)
- c) All structures, wells and lands on map Y (Y/N)
- d) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y (Y/N)



M. A. Had
Nat. Resources Engineer
Dec. 6 17, 93
1458-1

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1458-1

(1) Lead Country Club, of PO Box 633, Lead, SD 57754 made Application No. 1458-1, February 9, 1989 for a water permit to appropriate 0.22 cubic feet of water per second from groundwater (2 wells) and surface runoff, Lawrence County, South Dakota for irrigation purposes. Permit No. 1458-1, with a priority date of February 9, 1989 was approved May 10, 1989 (readvertised and approved again on July 26, 1989) and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 26, 1994 and for the application to beneficial use of said water on or before July 26, 1998. A "Notice of Completion of Works and Application of Water to Beneficial Use" was submitted on July 16, 1991 which stated the diversion system was completed on May 1, 1989 and the water applied to beneficial use on September 30, 1990.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.18 cubic feet of water per second and store 6.16 acre feet of water for beneficial use. The location of the two wells and dam No. 1 are approximately 604'N and 1630'W west of the SE corner of Section 25, T4N, R2E (SW $\frac{1}{4}$ SE $\frac{1}{4}$); the location of dam No. 2 is approximately 1690'E and 240'S of the NW corner of Section 31, T4N, R3E (NE $\frac{1}{4}$ NW $\frac{1}{4}$). Dam #1 stores 2.66 acre feet of water and Dam #2 stores 3.5 acre feet of water.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following 52 acres of land:

<u>T4N, R2E Section 25</u> SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5.0 acres	<u>T4N, R3E Section 31</u> NW $\frac{1}{4}$ NW $\frac{1}{4}$ 16.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ 4.0 acres
<u>T4N, R2E Section 36</u> NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10.0 acres	<u>T4N, R3E Section 30</u> SE $\frac{1}{4}$ SW $\frac{1}{4}$ 14.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Lead Country Club of PO Box 633, Lead, SD 57754-0633 the holder and/or owner of Water Permit No. 1458-1 is issued a license to appropriate water, the right to use 0.18 cubic feet of water per second and store 6.16 acre feet of water from groundwater (2 wells) and surface runoff with a priority date of February 9, 1989 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 1458-1 and subject to South Dakota State Law.



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

NOV 14 1994

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 14 1994

1458-1

Gerald Aberle, President
Lead Country Club
P.O. Box 633
Lead, SD 57754-0633

Dear Mr. Aberle:

Enclosed is Water License No. 1458-1 and Receipt No. 414138 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 1458-1 is the final document which completes the process of obtaining a water right.

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

Very truly yours,

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

gm
enclosures

Mr. Ron Duvall
Department of Environment
and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501 - 3181



1/10/95

Dear Mr. Duvall,

Please find enclosed the annual irrigation questionnaire for the Lead Country Club. Also enclosed are copies of the letters I sent in 1993 and 1992 regarding the final inspection of our system and the establishment of a priority date. To my knowledge the system has still not been inspected nor has anybody from your Department ever contacted me in response to the correspondence enclosed with the last 2 questionnaires.

The irrigation system has been complete and in use at the Lead Country Club for 4 years. The Notice of Completion of Works and Application of Water to Beneficial Use form was submitted at the end of the 1992 season. I'm not certain if we have established a 1989 priority date or if any other obligations need to be met to so. Please contact me at your convenience to resolve this matter. I would be happy to schedule an inspection of the system anytime during the 1995 season if necessary. In any case, I would like some documentation of our status and our priority date.

Sincerely,

A handwritten signature in cursive script, which appears to read "Gerald Aberle".

Gerald Aberle
Lead Country Club
Home 584-3177
Work 584-4866



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 25, 1995

1458-1

Gerald Aberle
Lead Country Club
PO Box 633
Lead SD 57754

Dear Mr. Aberle:

This letter is in response to your letter dated January 10, 1995, which was received with the irrigation questionnaire for the Lead Country Club.

The inspection of Water Right No. 1458-1 was completed in May of 1992 and the water license was issued November 14, 1994 (copy enclosed). I apologize for the delay between the date of inspection and getting the license issued. The number of pending inspections statewide is large and we are trying to catch up. However, the delay in the licensing of your water right in no way affects the February 9, 1989, priority date assigned No. 1458-1. The priority date remains effective as long as the water right remains effective. A water right may only be lost due to forfeiture (nonuse of water), abandonment, or failure to comply with permit qualifications.

If you have any further questions, please contact me. I hope this letter addresses your concerns. Thank you for writing.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosure



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: LEAD COUNTRY CLUB, GERALD ABERLE, 620 SUNNYHILL, LEAD, SD 57754
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No. 1458-1

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No. 1458-1. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1458-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:45 am, March 6, 1996 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1458-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

LEAD COUNTRY CLUB
GERALD ABERLE
620 SUNNYHILL
LEAD SD 57754

4a. Article Number

Z 161 984 058

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

1-31-86

5. Received By: (Print Name)

Geri Aberle

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

2/20/96



Mr. Ron Duvall
Department of Environment
and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57701 - 3181

Dear Mr. Duvall,

Please find enclosed the annual irrigation questionnaire for the Lead Country Club. Also enclosed are copies of the letters that were sent on behalf of the Lead Country Club for the past four years requesting a completion inspection of our system and confirmation of the establishment of a priority date. To my knowledge, The Department of Environment and Natural Resources has not yet responded to these requests.

The Lead Country Club again requests that you provide documentation of the establishment of a priority date and that you conduct the completed system inspection if it has not been done and it is still necessary. I would also request that your office respond to these requests one way or another so that we know the matter settled. i.e. if we have had an inspection and we do have a priority date..... provide documentation - if we need to be inspected.... please provide a date that the inspection can be conducted, or at least confirmation that you have received this request.

Sincerely,

Gerald M Aberle
Lead Country Club
Home - 584-3177
Work - 584-4820



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 26, 1996

1458-1

Gerald Aberle
Lead Country Club
376 Main Street
Deadwood, SD 57732

Dear Mr. Aberle:

This will acknowledge receipt of your 1995 irrigation questionnaire for Water Right No. 1458-1. You may disregard the January 30, 1996 "Notice of Violation of Water Permit No. 1458-1". The information was received prior to the March Water Management Board Meeting and has been deleted from the agenda.

With response to your letter concerning inspection and licensing of your water right, enclosed is a copy of a letter to you dated January 25, 1995 and another copy of your water license. The water license was issued November 14, 1994.

Water License No. 1458-1, establishes a priority date of February 9, 1989, authorizing diversion of 0.18 cubic feet of water per second with storage of 6.16 acre feet of water from groundwater (two wells) and surface runoff to irrigate of 52 acres (described on the license). If you have any questions concerning the enclosed license, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

1458-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: LEAD COUNTRY CLUB, GERRY GACKLE, PO BOX 633, LEAD, SD 57754 0633

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1458-1. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1458-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:45 am, February 25, 1998 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1458-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

LEAD COUNTRY CLUB
GERRY GACKLE
PO BOX 633
LEAD SD 57754 0633

4a. Article Number

2119 141 250

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

1-21-98

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Gerry Gackle*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1998

1458-1

Gerry Gackle
Lead Country Club
PO Box 633
Lead, SD 57754-0633

Dear Mr. Gackle:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Right No. 1458-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



1458-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2004

NOTICE

TO: LEAD COUNTRY CLUB, RICK VARLAND, PO BOX 633, LEAD, SD 57754 0633

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1458-1. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1458-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1458-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



1458-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 2004

1458-1

Rick Varland
Lead Country Club
335 S Main
Lead SD 57754

Dear Mr. Varland:

I am writing to acknowledge receipt of the 2003 irrigation questionnaire for the Lead Country Club. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 1458-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



1458-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2007

NOTICE

TO: LEAD COUNTRY CLUB, RICK VARLAND, 335 S MAIN, LEAD, SD 57754
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1458-1. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1458-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 10:30 am, March 7, 2007 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1458-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/efrms/secure/efrms/E0455V5-IQ.pdf>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

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Status: **Delivered**

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Signature Confirmation Receipt	
SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0799 5982	LEAD COUNTRY CLUB RICK VARLAND 335 S MAIN LEAD SD 57754
	Waiver of Signature ☐ YES ☐ NO
	Postmark Here
	POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com or call 1-800-222-1811
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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 2007

1458-1

Rick Varland
Lead Country Club
335 S Main
Lead SD 57754

Dear Mr. Varland:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 1458-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 2008

NOTICE

TO: LEAD COUNTRY CLUB, RICK VARLAND, 335 S MAIN, LEAD, SD 57754
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1458-1. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1458-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 11, 2008** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1458-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

1458-1

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LEAD COUNTRY CLUB RICK VARLAND 335 S MAIN LEAD SD 57754	
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POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com or call 1-800-222-1811	
☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel	



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

January 31, 2008

1458-1

Rick Varland
Lean Country Club
335 S Main
Lead SD 57754

Dear Mr. Varland:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 1458-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

1458-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 28, 2019

1458-1

Rick Varland
Lead Country Club
PO Box 403
Lead SD 57754-0403

Dear Sir:

Enclosed is a "Notice" dated October 18, 2019 concerning the 2019 irrigation questionnaire.

The notice was originally mailed to 335 S Main, Lead SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures