

Considered: _____

V. R
WATER PERMIT NO. 1472-1

MAP No. same 578-9979

Name of Applicant Tomahawk Lake Country Club

Post Office Address Box 572, Deadwood SD 57732

Amount of Water Claimed 0.07 cfs Total Acres 1.65

Source of Water Supply collection dam - spring fed

Water to be used for irrigation County Lawrence

About 5 miles SE of Deadwood

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received Oct 16, 1989 Fee \$15.00 Remarks _____

Corrected Application Received _____ Period of Annual Use Apr 1 - Sept 30

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

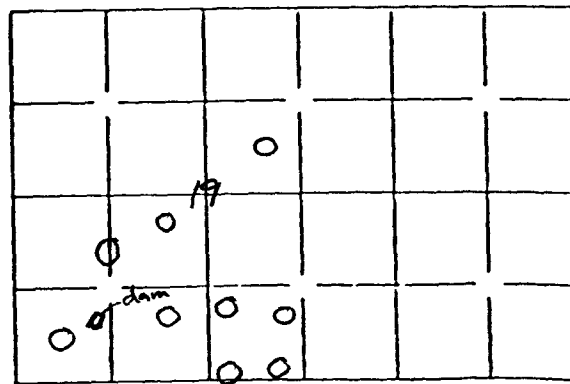
WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point collection dam: SW 1/4 SW 1/4

sec 19-T4N-R4E

Land to be Irrigated SW 1/4 NE 1/4, SW 1/4 SE 1/4, SW 1/4

sec 19-T4N-R4E



O - greens

Well Log: Driller NA Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map plat PREPARED BY John Arleth Reviewed and the Number

assigned on Nov 13, 1989 By Ron D. Small

STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 1472-1 FOR IRRIGATION

(1) Tomahawk Lake Country Club of Box 572, Deadwood SD 57732 made Application No. 1472-1, October 16, 1989 for validation of a vested right claim to appropriate 0.07 cubic feet of water per second from a spring fed collection dam, Lawrence County, South Dakota for irrigation purposes. Vested Water Right No. 1472-1 was validated March 7, 1990 with a priority date of January 1, 1932. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

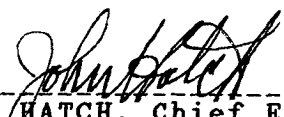
(2) The applicant is entitled to divert 0.07 cubic feet of water per second for beneficial use. The location of the dam is N56°02'00"E, 1411.0 feet from the SW corner (SW 1/4 SW 1/4) Section 19, T4N, R4E.

The location of the irrigated acreage is:

T4N, R4E Section 19	SW 1/4 NE 1/4	0.10	acres
	SW 1/4 SE 1/4	0.75	"
	SE 1/4 SW 1/4	0.20	"
	NE 1/4 SW 1/4	0.30	"
	NW 1/4 SW 1/4	0.10	"
	SW 1/4 SW 1/4	0.20	"

TOTAL 1.65 acres

(3) Pursuant to Section 46-5-30.1 Tomahawk Lake Country Club of Box 572, Deadwood SD 57732 the holder(s) and/or owner(s) of Vested Water Right No. 1472-1 is issued a license to appropriate 0.07 cubic feet of water per second from a spring fed collection dam with a priority date of January 1, 1932 from the location specified in (2) of this license. The water is to be used for the purpose of irrigation. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 1472-1 and subject to South Dakota State Law.



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

JUN 18 1990

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1472-1 FOR IRRIGATION

Date of Receipt of Claim October 16, 1989.

Date of Validation March 7, 1990.

The Water Management Board validated Vested Water Right Claim No. 1472-1 for irrigation purposes for Tomahawk Lake Country Club, Box 572, Deadwood, SD 57732 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1472-1 claims 0.07 cubic feet of water per second from a spring fed collection dam, approximately 2.3 acre-feet capacity, to irrigate golf course greens and tee boxes consisting of 1.65 acres. The dam is located in the SW1/4 SW1/4 Section 19 and the irrigated acreage is located in the SW1/4 NE1/4, SW1/4 SE1/4, SW1/4 Section 19; all in T4N-R4E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. The water is to be used during the following annual period: April 1 - September 30.
3. The priority date of the Vested Water Right is January 1, 1932.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

- 1) Water Right No. 1472-1 is subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

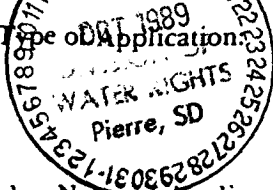
By:  JUN 18 1990
Chief Engineer date

Division of Water Rights
Dept. of Water and Natural Resources

(See instructions)

No. 1472-1 Hydrologic Unit 10120302
Basin Belle Fourche River
Newspaper Lead Daily Call, Box 876 57754

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



- ☐ 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 Tomahawk Lake Country Club Phone No. 605 - 578-9979

Post Office Address Box 572, Deadwood State SD 57732
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) .07 c.f.s. Total acres irrigated 1.65 1.65

3. Source of Water supply Collection dam - Surface water

4. Location of point of diversion Tie to Dam N56°02'00"E. 1411.0 feet from the SW Corner
of Section 19, T4N, R4E, B.H.M., Lawrence County, South Dakota SW 1/4 SW 1/4

County Lawrence

5. Counties where water will be used Lawrence 30

6. Annual period during which water is to be used April 1 through September / since 1932

7. 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.
T4N R4E, Sec. 19- SW 1/4 NE 1/4	.10
SE 1/4 NW 1/4	-0-
NW 1/4 SE 1/4	-0-
SW 1/4 SE 1/4	.75

Land Description	No. Acres Irr.
T4N R4E, Sec. 19- SE 1/4 SW 1/4	.20
NE 1/4 SW 1/4	.30
NW 1/4 SW 1/4	.10
SW 1/4 SW 1/4	.20

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: X Towline: _____ Center Pivot: _____ Gun: _____ Other: _____
(Specify) _____
9. Crops to be Irrigated: Tees and greens have been watered since 1932.
10. Give a description of proposed project. (Attach sheet if more space is needed)

See working drawings previously provided.

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 Lawrence)^{ss}

I, Joe Noeller, 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 Joe Noeller
President

Subscribed and sworn to before me this 11th day of October 19 89

Bonnie Stouffer
Commission Expires: 11-22-90

MAIN SUPPLY, LATERAL AND WIRING

MAIN SUPPLY

LATERAL

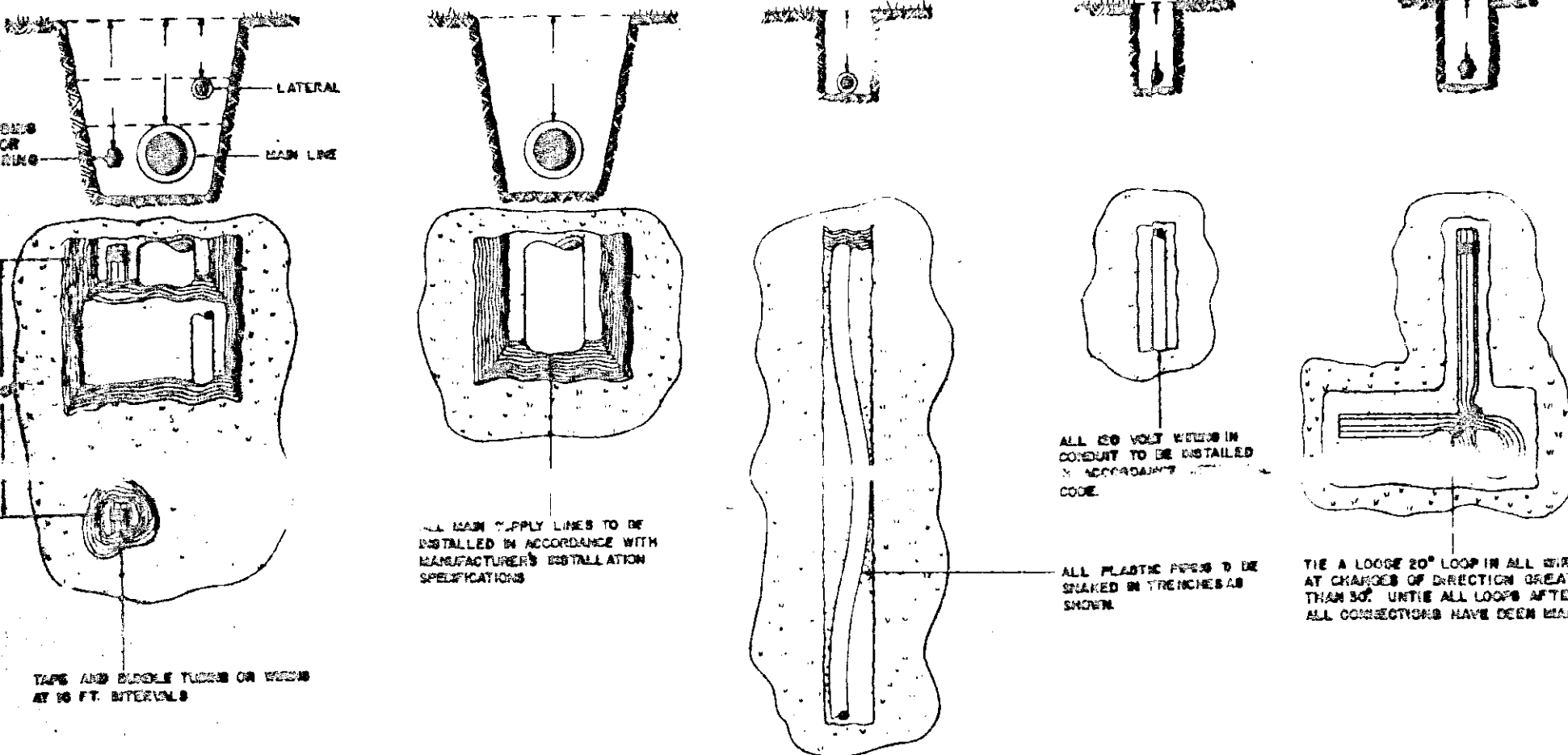
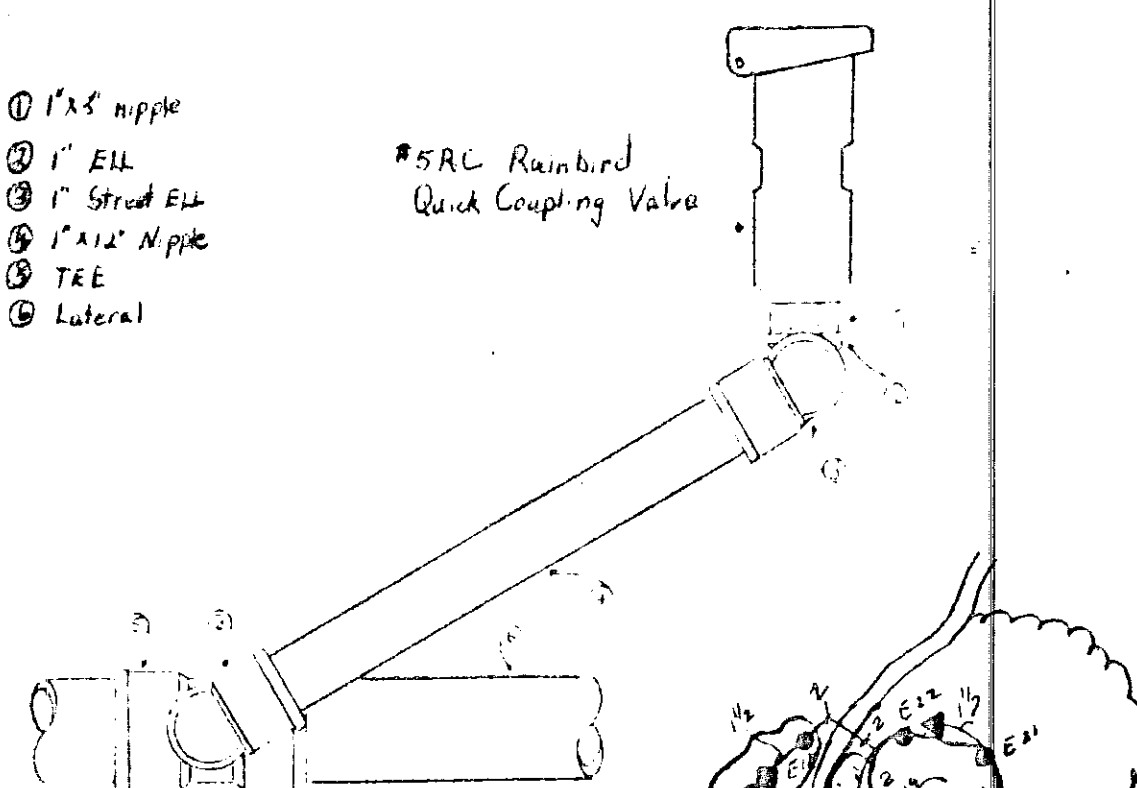
120 VOLT

TUBING OR WIRING

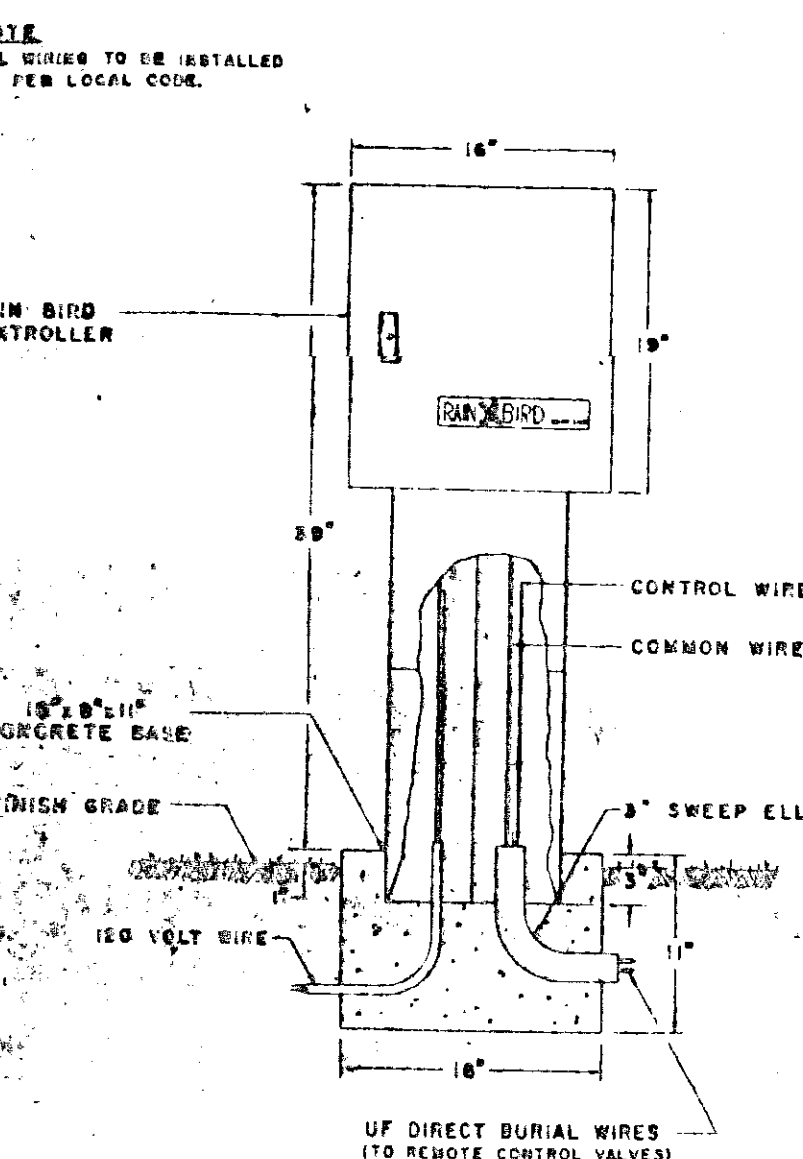
Typical Quick Coupler Valve Detail

- ① 1/4" nipple
- ② 1" Ell
- ③ 1" Street Elb
- ④ 1/2" Nipple
- ⑤ TEE
- ⑥ Lateral

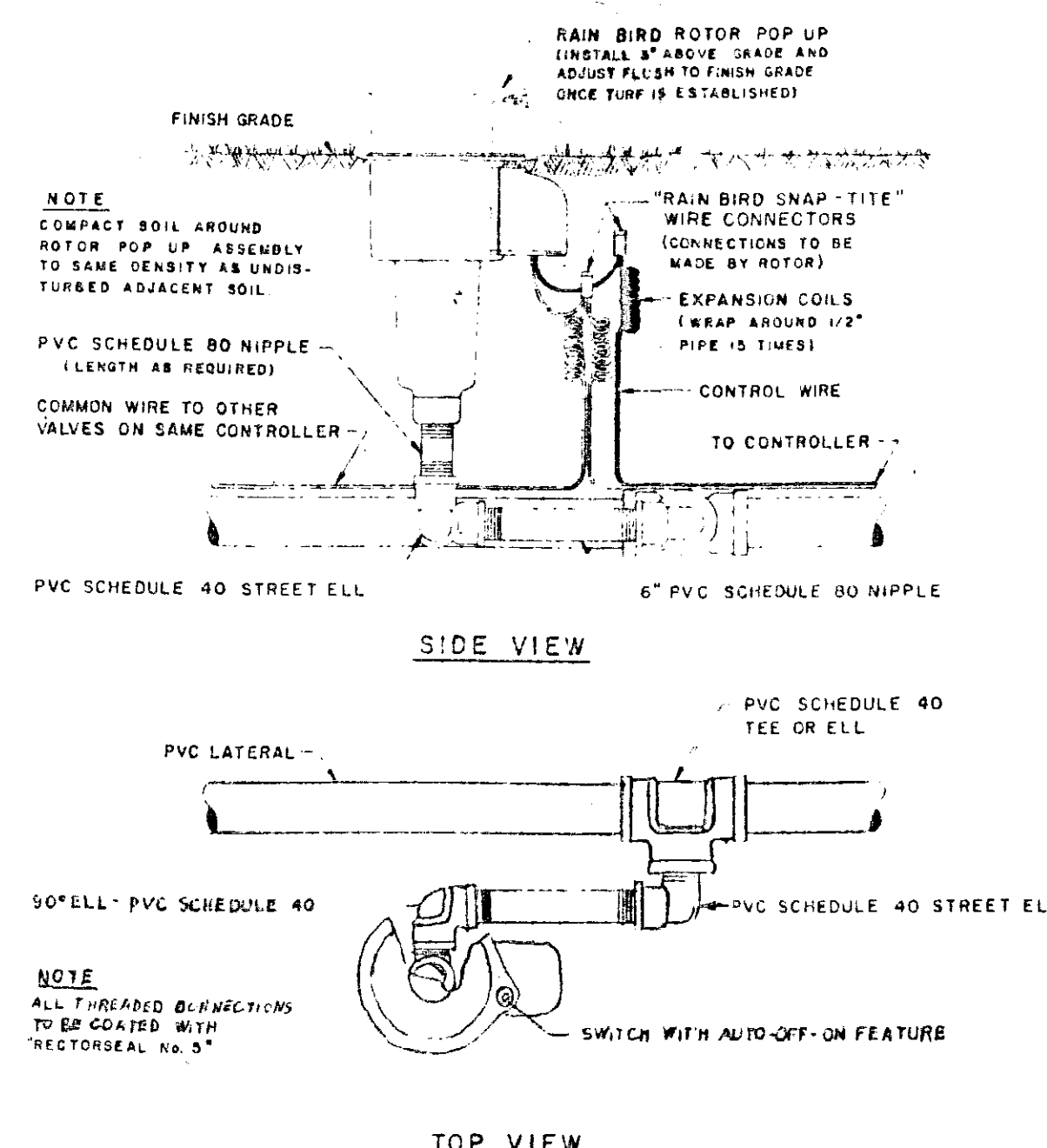
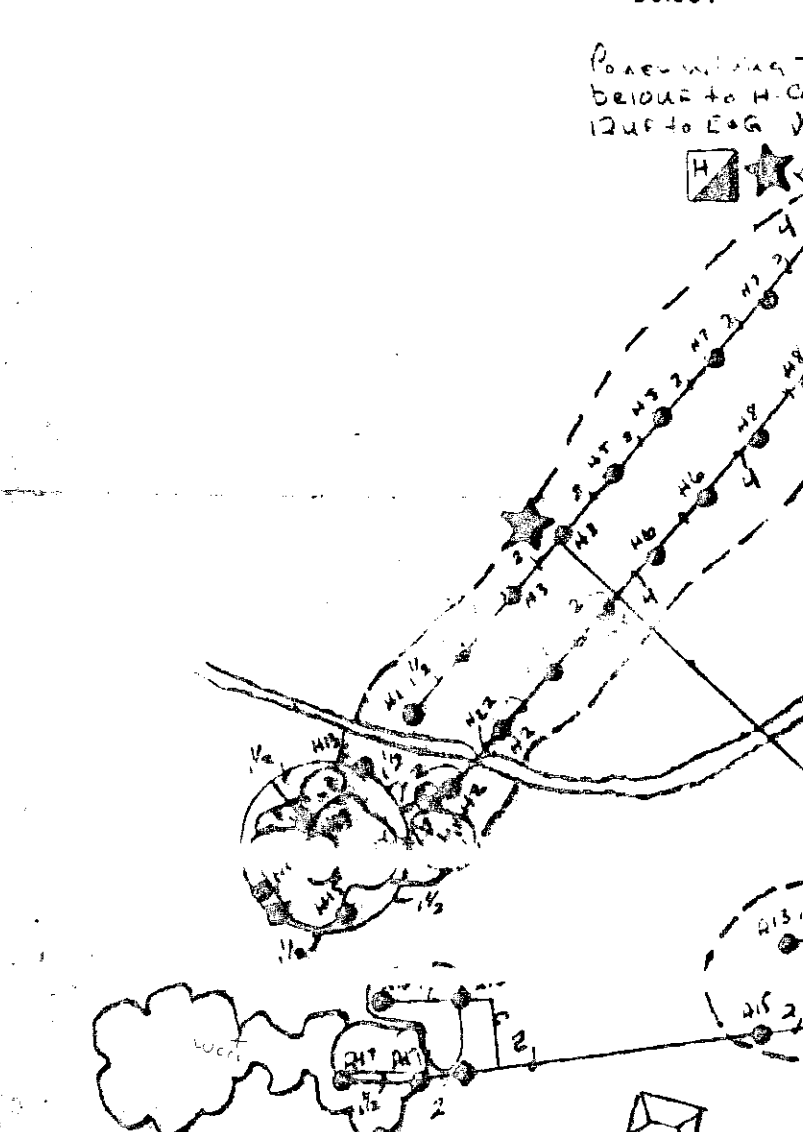
#5RC Rainbird Quick Coupling Valve



TYPICAL TRENCHING DETAIL

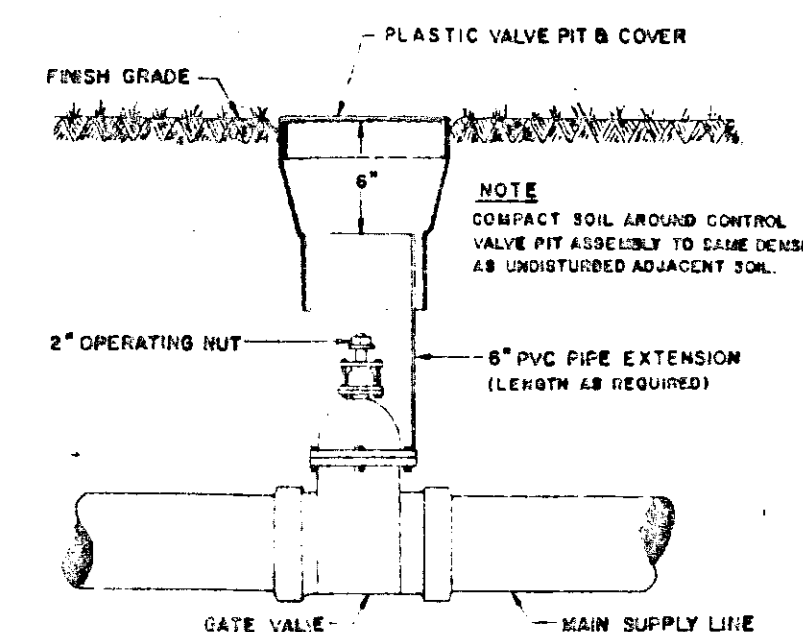


CONTROLLER DETAIL



VALVE-IN-HEAD ELECTRIC DETAIL

No. 310 031560



GATE VALVE ASSEMBLY DETAIL

No. 332 031541

LEGEND

- ☑ Rain Bird AC2360AB 23 Station Controller w/Pedestal Mount
- Rain Bird 51DR Sprinkler 28A gpm @ 70 psi - 72' Radius.
- ♦ Rain Bird 5RC Brass Quick Coupling Valve w/3-55R-1 Reys.
- ▼ Waterman RV150-2" Air Relief Valve Assy's.
- Hammond 607-2" Brass Gate Valve.
- Hammond 607 Series Brass Gate Valve. Size as per pipe size.
- ★ Cement Thrust Block's-See installation detail and size per chart on this sheet.
- Ⓟ Pump Station: Pumping requirement to be 405 gpm @ 288' TDH (125 psi). To be 460V 3Ø.

Notes:

1. All pipe to be PVC 160 psi rated type I, SDR26. Sizes 3'-4'-6' to be socket end, sizes 1 1/2'-2' to be solvent weld 3E.
2. Pipe to be buried with a minimum cover of 18".
3. All pipe fittings to be PVC Type I, Sch 40, solvent weld.
4. Air relief assy's to be covered at grade level with a 10" Rd Valve Box.
5. Zone valves to be covered with a 10" Rd Valve Box @ grade.
6. Quick Coupling valves to be covered with a 6" Rd valve box with acv 2" below grade inside V.B. & gravel filled to top of acv.
7. Sprinkler heads and quick coupling valves to be mounted on wiring joints consisting of 3" Thd x Thd 90° Sch 40 PVC Street ell & 1" Thd x Thd Sch 80 nipple. Spkls heads to be 1 1/2" and acv's 1". All threaded PVC fittings to be assembled with Teflon Tape Only. Use no pipe dope.
8. All electric wiring to be direct buried, 600V, solid copper with PVC coating.
9. Controller power wires to be 10UF Black & White to controller DB4H. 12UF Black & White from these locations to unit 1, DB4H. A 14UF Green ground wire to be run to all units.
10. Controller grounding to be a 3/8" x 8" copper ground rod, with clamp & #8 bare gal wire at each controller location. Ground rod to be driven below grade 3" and marked with a 6" Rd Valve Box at grade level.
11. Wiring to sprinkler heads to be 14UF, Yellow (spkls common) Red (spkls pulse).
12. All wire splices to be underground waterproof connectors. Connectors to be 3rd Type DB4 units only.
13. Pipe saddles to be PVC Sch 80 Cal-Am style.
14. System to be winterized by compressed air.

System Parameters

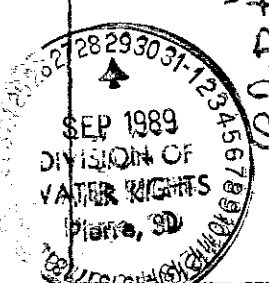
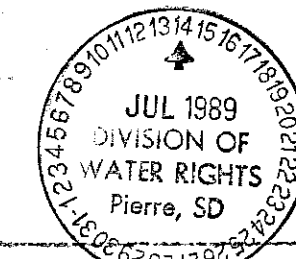
Run each controller station for 23 minutes per station in peak season.
The sprinkler precipitation rate per unit is .50 inches per hour on a 80' x 80' spacing. The required nightly sweep rate in peak season is .18 inches. At a 23 minute run the sprinklers will apply .18 inches per night at .008 per minute.
A 23 minute run time at an average of 21 stations in use per controller equals a 483 minute run time nightly, this divided by 60 equals a total run time of 8.05 hours per night.
At a nightly precipitation rate of .18 inches a seven day schedule will apply a weekly net of 1.26 inches. Superintendent to adjust schedule as needed.

Pipe Sizes	Tees and Dead Ends		ELLS					
	A	B	22 1/2°		45°		90°	
3'-4"	24"	12"	9"	12"	17"	12"	21"	18"
6"	33"	18"	12"	18"	24"	18"	32"	24"

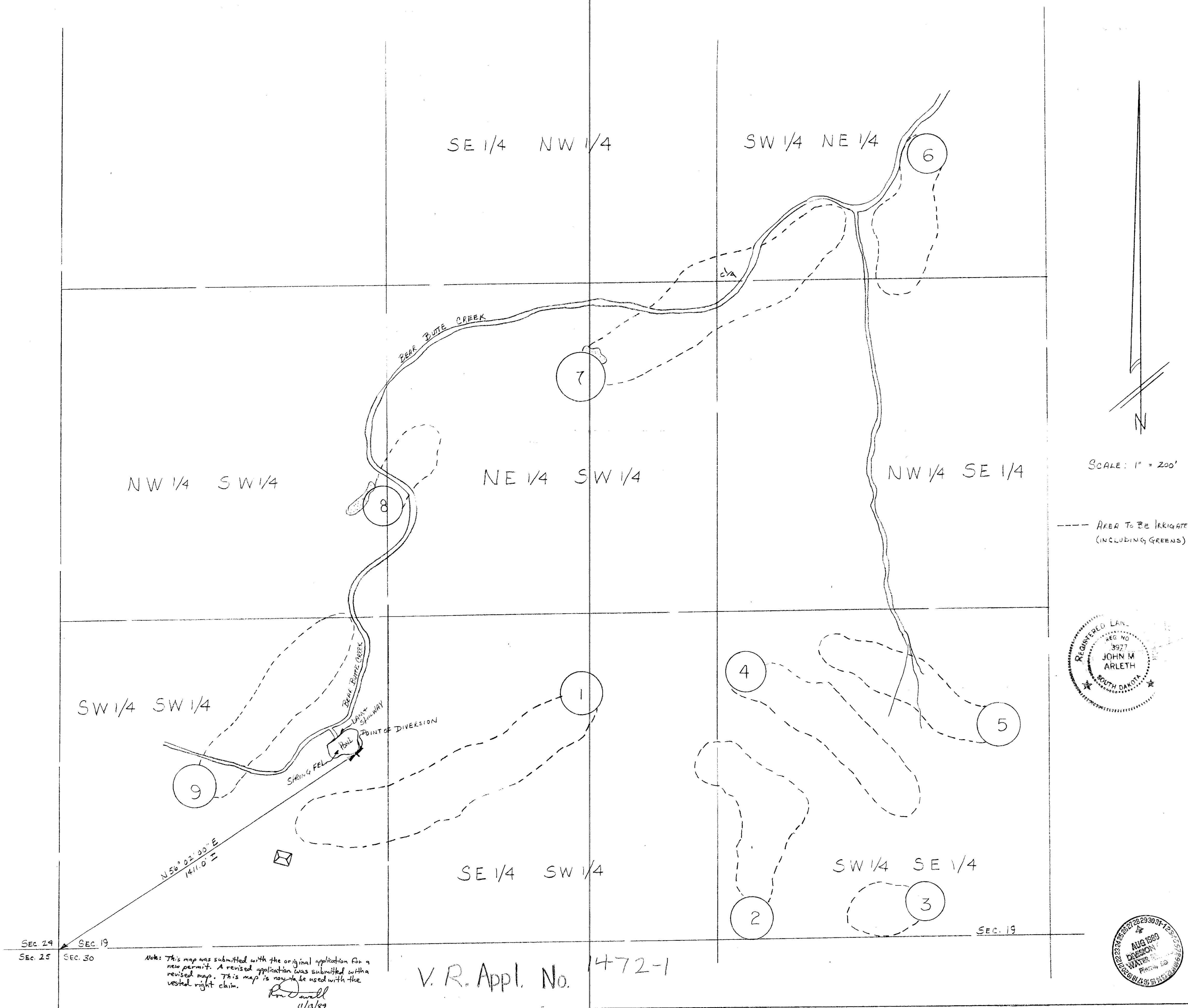
A: Dimension B: Thickness

THRUST BLOCK SIZES

TOMAHA'WK LAKE COUNTRY CLUB-DEADWOOD SOUTH DAKOTA
Scale 1"=200' March 1, 1989



MAP SHOWING POINT OF DIVERSION - TOMAHAWK LAKE COUNTRY CLUB



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411939

Pierre, _____ October 16 _____, 19 89

RECEIVED OF Tomahawk Lake Country Club, Box 572, Deadwood, SD 57732

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

Fee for Application for Permit No. <u>1472-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____	15	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	15 00

By John Hatch/mra
Chief Engineer John Hatch/mra

type of person in. and



Affidavit of Water Use

No. _____

(Type or Print in Ink)

Note: This Form is supplemental to Form 2 and is to be used when an affidavit pertaining to construction and water use already constructed is needed, primarily with vested right claims.

**Affidavit Of Construction Of Water Use System
And Application Of Water To Beneficial Use**

Name of Applicant (Same as Form 2) Tomahawk Lake Country Club

Post Office Address Box 572, Deadwood South Dakota 57732
(Street, RR or Box) (State) (Zip Code)

A. Notice of Appropriation _____ Date of Posting _____

Date of recording _____ Recording date _____
Where Book Page

B. Date of start of construction of water supply system August 1989C. Date that water was first applied to beneficial use October 1989 (Testing of new system)D. Name of owner of original water supply system Tomahawk Lake Country ClubE. Amount of water originally applied to beneficial use .07 c.f.s.F. Present Use of Water - Amount of water now being used .07 c.f.s.Date that this water was first used 1932

G. Chronological History of Water Use

Construction of Tomahawk Lake Country Club began in 1932 and water use began as soon as it was necessary to water greens and tee boxes. Water was used annually from this source to water greens and tee boxes and for the club house facilities until the new club house was constructed in approximately 1983. The water for tees and greens was pumped from the dugout east of the club house to storage tanks and then used for watering purposes.

Attach to this Form 2B any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

State of South Dakota)

County of Lawrence) ^{ss}

I, Joe Noeller the applicant, certify that I have read the foregoing
(print or type)
 and that the matters therein stated are true.

Signed Joe Noeller
PresidentSubscribed and sworn to before me October 11, 19 89

Bonnie J. Tompsett
 Notary Public or other qualified officer
 Commission Expires: 11-22-90

I, the undersigned do hereby certify that I know about the water use system described above, that I have read the foregoing, and that the matters therein stated are true.

Joe Noeller 19 89
(Print name)

19 89
(Print name)

 **Department of
Water & Natural Resources**

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

October 4, 1989

Jerry C Rachetto
Matton, Rachetto & Christensen
PO Box 392
Deadwood SD 57732

Dear Mr. Rachetto:

This letter is in response to a vested right claim submitted by the Tomahawk Lake Country Club. The following information is needed to complete the application:

- 1) The application needs to be submitted on the correct application form. Enclosed are blank applications which are the correct forms for an irrigation application. The number of acres (tees and greens) that qualify for a vested right needs to be listed in question No. 7 according to forty acre subdivisions.
- 2) A vested right claim needs to claim a specific amount of water to irrigate a specific number of acres. Therefore, the amount of water claimed (question No. 2) will also need to be determined.
- 3) The enclosed Affidavit of Water Use also needs to have the applicable portions completed when claiming a vested water right.

I assume the acreage that is listed on the vested right claim is now duplicated on the original application which is for 42.7 acres. The acreage claimed on the vested right application will need to be deleted from the new application which will be only for the fairways.

Jim Stukel with the Department of Agriculture has indicated that about 5 to 6 acres are not included on the original permit application. The acreage is located in section 30-T4N-R4E and needs to be located on the enclosed map or an additional map will need to be completed.

An alternative to completing the information requested in this letter with the exception of locating the additional acreage is to withdraw the vested right claim. This means the whole golf course would be included on the new application and would be assigned a new priority date if the application is approved. However, the decision on how to proceed is entirely up to the country club.

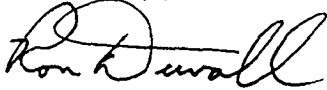
Page 1 of 2



October 4, 1989
Jerry C Rachetto
Page 2 of 2

Please complete the above information and return the completed enclosures. I have also enclosed the \$15.00 check until I am certain the golf course intends to proceed with the vested right claim. If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ron Duvall". The signature is written in dark ink and is positioned below the word "Sincerely,".

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.

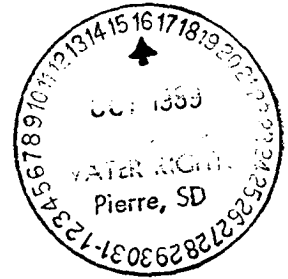
JON MATTSON
JERRY RACHETTO
STEVE CHRISTENSEN

LEM OVERPECK
P. O. Box 636
Spearfish, S. Dak. 57783
(OF COUNSEL)

LAW OFFICES OF
MATTSON, RACHETTO & CHRISTENSEN
P.O. Box 392
DEADWOOD, SOUTH DAKOTA 57732

DEADWOOD OFFICES:
81 SHERMAN STREET
TELEPHONE (605) 578-2141

October 11, 1989



Mr. Ron Duvall
Natural Resources Engineer
SOUTH DAKOTA DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Re: Tomahawk Lake Country Club

Dear Mr. Duvall:

Enclosed please find duplicate originals of an Amended Application for water permit. Pursuant to your letter dated October 4, 1989, I have deleted the estimated acreage of greens and tees and added approximately five acres under Section 30.

I have also enclosed duplicate originals of our Application for a vested right claim along with Tomahawk Lake Country Club check No. 5624 in the amount of \$15 made payable to Water Rights Division.

Also enclosed are duplicate originals of your Affidavit of Water Use.

In addition, this letter confirms our telephone call yesterday wherein you advised that to calculate cubic feet of water per second you divide the gallons per minute by 449. I used this calculation on the enclosed applications.

Also enclosed is an additional map locating approximately five or six acres in Section 30 as requested in your letter dated October 4, 1989.

Thank you for your cooperation.

Very truly yours,

MATTSON, RACHETTO & CHRISTENSEN


Jerry C. Rachetto

JCR:bms
Enclosures

Conversation or File Documentation

NAME OF PERSON OR FILE: Jerry C Rachtetto c/a Tomahawk Lake Country ClubADDRESS: Box 522, Deadwood SD COUNTY LawrenceDATE: November 13, 1989 TELEPHONE _____RE: size of storage pond

COMMENTS:

Contacted Jerry Rachtetto to determine which storage estimate should be used, 300,600 gallons or 2.3 ac-ft (750,000 gallons) as shown on Form 2A. Mr. Rachtetto stated both were estimates and indicated the larger estimate could be used to ensure the applications are for an adequate amount of storage.

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.

RECOMMENDATION OF CHIEF ENGINEER FOR VALIDATION OF VESTED WATER

RIGHT APPLICATION NO. 1472-1, Tomahawk Lake 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 Validation of Vested Water Right Application No. 1472-1, Tomahawk Lake County Club, Box 572, Deadwood SD.

The Chief Engineer is recommending VALIDATION of Application No. 1472-1 for 0.07 cfs because 1) water has been appropriated as described for irrigation use with a priority date of January 1, 1932, 2) the use has been developed without unlawful impairment of existing rights, 3) the use is a beneficial use and 4) it is in the public interest and with the following qualification:

Water Right No. 1472-1 is subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
December 4, 1989

Report on Vested Water Right Application No. 1472-1
Tomahawk Lake Country Club
November 27, 1989

Background

Vested Right Application No. 1472-1 claims 0.07 cubic feet of water per second from a spring fed collection dam of approximately 2.3 acre-feet storage capacity to irrigate golf course greens and tee boxes consisting of 1.65 acres. The applicant claims a priority date of 1932. The dam is located in the SW1/4 SW1/4 Section 19, T4N-R4E. The irrigated acreage is located in the SW1/4 NE1/4, SW1/4 SE1/4, and SW1/4 Section 19, T4N-R4E in Lawrence County.

Discussion

According to the "Affidavit of Water Use", the Tomahawk Lake Country Club was constructed in 1932 and water was put to beneficial use at the same time.

(For more information about Tomahawk Lake Country Club see report on Application No. 1471-1).

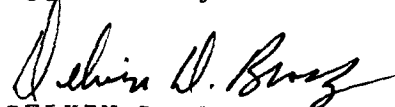
Conclusions and Recommendations

1. According to the applicant, water has been put to beneficial use since 1932.
2. Water Rights files do not show any other water use from the spring.
3. Due to the small size of the dam, investigation of the dam under the safety of dams rules is not required.
4. It is recommended that Vested Water Right Claim No. 1472-1 be validated for a diversion rate of 0.07 cubic feet of water per second to irrigate 1.65 acres with a priority date of January 1, 1932, and with the irrigation questionnaire qualification.



M. RASSOOL AHADI
Natural Resources Engineer II
(605)773-3352

Approved by:



DELVIN D. BROSZ, P.E.
Natural Resources Engineer IV
(605)773-3352



Department of Water & Natural Resources

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

January 16, 1990

Lead Daily Call
Box 876
Lead SD 57754

ATTENTION: Legal Department

Enclosed is a Notice of Hearings on Application No. 1471-1 and Vested Water Right Claim No. 1472-1 to be published twice. Please publish the first notice on or before January 25, 1990 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 the Tomahawk Lake Country Club, Box 572, Deadwood SD.

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 on Application Nos. 1471-1 & 1472-1 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



 **Department of
Water & Natural Resources**

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

January 16, 1990

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

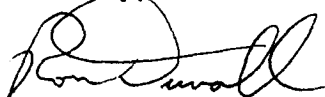
Joe Noeller, President
Tomahawk Lake Country Club
Deadwood SD 57732

Dear Mr. Noeller:

Water Permit Application No. 1471-1 and Vested Water Right Claim No. 1472-1 for irrigation use have 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, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures



Instruction to Newspaper - Publish first Notice on or before January 25, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARINGS on Application No. 1471-1 to Appropriate Water and to Validate Vested Water Right Claim No. 1472-1 to Appropriate Water

Notice is given that Tomahawk Lake Country Club, Box 572, Deadwood SD 57732 has filed two applications. Application No. 1471-1 is to appropriate 0.9 cubic feet of water per second (cfs) from a springfed collection dam (approximately 2.3 acre-feet storage capacity) to irrigate 47.05 acres of a golf course. The dam is located in the SW 1/4 SW 1/4 Section 19 and the acreage to be irrigated is located in the SW 1/4 NE 1/4, SE 1/4 NW 1/4, W 1/2 SE 1/4, SW 1/4 Section 19; NW 1/4 NE 1/4 Section 30; all in T4N-R4E.

Vested Right Application No. 1472-1 claims 0.07 cfs from a spring fed collection dam (same dam as described in Application No. 1471-1) approximately 2.3 acre-feet capacity, to irrigate golf course greens and tee boxes consisting of 1.65 acres with a claimed priority date of 1932. The dam is located in the SW 1/4 SW 1/4 Section 19 and the irrigated acreage is located in the SW 1/4 NE 1/4, SW 1/4 SE 1/4, SW 1/4 Section 19; all in T4N-R4E.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1471-1 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 and recommends VALIDATION of Vested Water Right Application No. 1472-1 because 1) water has been appropriated as described for irrigation with a January 1, 1932 priority date, 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest. These applications will be considered by the Water Management Board in the Roosevelt-Jefferson Room, Howard Johnsons, 2211 LaCrosse, Rapid City SD on March 7, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve and/or validate, 2) approve and/or validate with qualifications, 3) defer or 4) deny these applications based on the facts presented at the public hearing.

Any interested person that intends to participate in a 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 February 23, 1990. 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 an application, the petitioner's reasons for opposing or supporting an 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.

These hearings are adversary proceedings. 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 a 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 February 23, 1990.

These applications are 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, 46-2A-18; 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, 46-5-49; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:19 thru 74:02:01:22.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Lawrence) ss.

I, Karen Perry

certify that the attached printed Notice was taken
 from the Lead Daily Call

A newspaper which during the whole time of publication of
 said notice herein after stated, has been and is printed and
 published in the _____

City of Lead

County of Lawrence and State of South Dakota;
 that the said notice was published in said newspaper on the
 following two dates:

January 23, 1990

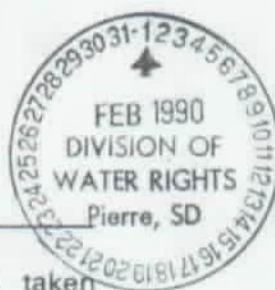
January 30, 1990

Karen Perry
 (Signature)

Accounts Receivable
 (Title)

January 30, 1990
 (Date Signed)

Cost of Printing: 52.16



The petition may be informal, but must include a statement describing the petitioner's interest in an application, the petitioner's reasons for opposing or supporting an 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.

These hearings are adversary proceedings. 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 a 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 February 23, 1990.

These applications are 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-1 Thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-18; 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, 46-5-49; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:19 thru 74:02:01:22.

**NOTICE OF HEARINGS
 ON APPLICATION NO. 1471-1
 TO APPROPRIATE WATER AND
 TO VALIDATE VESTED WATER
 RIGHT CLAIM NO. 1472-1 TO
 APPROPRIATE WATER**

Notice is given that Tomahawk Lake Country Club, Box 572, Deadwood SD 57732 has filed two applications. Application No. 1471-1 is to appropriate 0.9 cubic feet of water per second (cfs) from a springfed collection

dam (approximately 2.3 acre-feet storage capacity) to irrigate 47.05 acres of a golf course. The dam is located in the SW1/4 SW1/4 Section 19 and the acreage to be irrigated is located in the SW1/4 NE1/4, SE1/4 NW1/4, W1/2 SE1/4, SW1/4 Section 19; NW1/4 NE1/4 Section 30; all in T4N-R4E.

Vested Right Application No. 1472-1 claims 0.07 cfs from a spring fed collection dam (same dam as described in Application No. 1471-1) approximately 2.3 acre-feet capacity, to irrigate golf course greens and tee boxes consisting of 1.65 acres with a claimed priority date of 1932. The dam is located in the SW1/4 SW1/4 Section 19 and the irrigated acreage is located in the SW1/4 NE1/4, SW1/4 SE1/4, SW1/4 Section 19; all in T4N-R4E.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1471-1 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 and recommends VALIDATION of Vested Water Right Application No. 1472-1 because 1) water has been appropriated as described for irrigation with a January 1, 1932 priority date, 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.

These applications will be considered by the Water Management Board in the Roosevelt-Jefferson Room, Howard Johnsons, 2211 LaCrosse, Rapid City SD on March 7, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve and/or validate, 2) approve and/or validate with qualifications, 3) defer or 4) deny these applications based on the facts presented at the public hearing.

Any interested person that intends to participate in a 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 February 23, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)".

JON MATTSON
JERRY RACHETTO
STEVE CHRISTENSEN

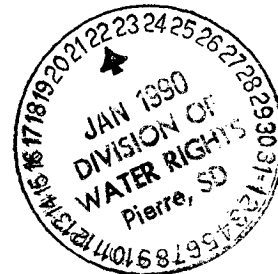
LEM OVERPECK
P.O. Box 636
Spearfish, S. Dak. 57783
(OF COUNSEL)

LAW OFFICES OF
MATTSON, RACHETTO & CHRISTENSEN

P.O. Box 392
DEADWOOD, SOUTH DAKOTA 57732

DEADWOOD OFFICES:
81 SHERMAN STREET
TELEPHONE (605) 578-2141
FAX (605) 578-2200

January 19, 1990



Lead Daily Call
Box 876
Lead, SD 57754

ATTENTION: Legal Department

Re: Tomahawk Country Club Water Permit

Gentlemen:

Pursuant to the letter dated January 16, 1990 to you from the Department of Water and Natural Resources, please consider this letter written varification that the notice provided to you should be published as set forth in their directions.

In addition, please be advised that the applicant, Tomahawk Lake Counrty Club will immediately pay for the publication fees.

Thank you for your cooperation.

Very truly yours,

MATTSON, RACHETTO & CHRISTENSEN

Jerry C. Rachetto

JCR:dg
cc: Ron Duval

1-19-90

Notice is acceptable to T.L.C.C.

*Thank you,
Jerry Rachetto*

JON MATTSON
JERRY RACHETTO
STEVE CHRISTENSEN

LAW OFFICES OF
MATTSON, RACHETTO & CHRISTENSEN

P.O. Box 392
DEADWOOD, SOUTH DAKOTA 57732

DEADWOOD OFFICES:
81 SHERMAN STREET
TELEPHONE (605) 578-2141
FAX (605) 578-2200

LEM OVERPECK
P.O. Box 636
Spearfish, S. Dak. 57783
(OF COUNSEL)

March 20, 1990



Mr. Ronald Duval
Natural Resources Engineer
S.D. DEPT. OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Re: Tomahawk Lake Country Club - Water Permits

Dear Mr. Duval:

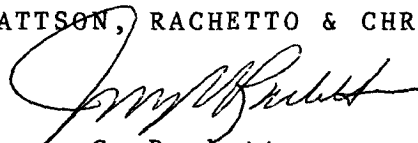
Please advise the status of the applications for water permits in the above-entitled matter.

My file indicated your hearing on this matter was scheduled for March 7th.

Thank you for your cooperation.

Very truly yours,

MATTSON, RACHETTO & CHRISTENSEN


Jerry C. Rachetto

JCR:dg



Department of Water & Natural Resources

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

March 28, 1990

Jerry C Rachetto, attorney
Mattson, Rachetto & Christensen
PO Box 392
Deadwood SD 57732

Dear Mr. Rachetto:

This letter is in response to your letter dated March 20, 1990 regarding the status of Application Nos. 1471-1 and 1472-1.

The Water Management Board validated No. 1472-1 and approved No. 1471-2 at the March 7 & 8, 1990 Board meeting. A permit for each application will be prepared and issued to the applicant at a later date.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ron Duvall". The signature is written in dark ink and is positioned above the printed name and title.

Ron Duvall
Natural Resources Engineer
605 773-3352



Water & Natural Resources

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

JUN 18 1990

1472-1

Joe Noeller
Tomahawk Lake Country Club
Box 572
Deadwood SD s 57732

Dear Mr. Noeller:

Enclosed are your Validated Vested Water Right and Water License No. 1472-1. As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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

enclosures



1472-1
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 2002

NOTICE

TO: TOMAHAWK LAKE COUNTRY CLUB, RANDY SARGENT, SUPT, PO BOX 572,
DEADWOOD, SD 57732

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1471-1, 1472-1 & 1563-1. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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) 1471-1, 1472-1 & 1563-1 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 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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) 1471-1, 1472-1 & 1563-1 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 8, 2002, 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.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TOMAHAWK LAKE COUNTRY CLUB
 RANDY SARGENT, SUPT
 PO BOX 572
 DEADWOOD SD 57732

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

LOREI LOGAN

C. Signature

X [Signature]

☐ Agent

☐ Addressee

D. Is delivery address different from item 1? ☒ Yes

If YES, enter delivery address below: ☐ No

Service Type

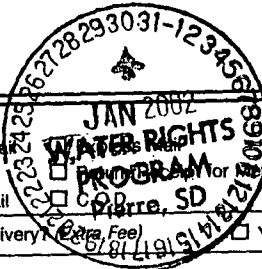
☒ Certified Mail

☐ Registered

☐ Insured Mail

☐ Restricted Delivery for Merchandise

4. Restricted Delivery (Extra Fee) ☐ Yes



7001 2510 0004 4797 3800



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 2002

1471-1
1472-1
1563-1

Tomahawk Lake Country Club Inc
Attention: Board President
PO Box 572
Deadwood, SD 57732-0572

Dear Sir:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 1471-1, 1472-1 and 1563-1.

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



1472-1
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: TOMAHAWK LAKE COUNTRY CLUB, BOARD PRESIDENT, PO BOX 572,
DEADWOOD, SD 57732 0572

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) 1471-1, 1472-1, 1563-1 & 1774-1. 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) 1471-1, 1472-1, 1563-1 & 1774-1 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) 1471-1, 1472-1, 1563-1 & 1774-1 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.



1472-1
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

1471-1
1472-1
1563-1
1774-1

Board President
Tomahawk Lake Country Club
PO Box 572
Deadwood SD 57732-0572

Dear Sir:

I am writing to acknowledge receipt of the 2003 irrigation questionnaires for the Tomahawk Lake Country Club. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit/Right Nos. 1471-1, 1472-1, 1563-1 and 1774-1.

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



1472-1
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 20, 2005

NOTICE

TO: TOMAHAWK LAKE COUNTRY CLUB, BOARD PRESIDENT, PO BOX 572, DEADWOOD,
SD 57732 0572

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire(s)

Our records indicate that the 2004 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1471-1, 1472-1, 1563-1 & 1774-1. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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) 1471-1, 1472-1, 1563-1 & 1774-1 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 2, 2005 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) 1471-1, 1472-1, 1563-1 & 1774-1 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 25, 2005, 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.



1472-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 15, 2005

1471-1
1472-1
1563-1
1774-1

Gary Todd
Gold Country Inn
801 Main St
Deadwood SD 57732

RE: Tomahawk Lake Country Club

Dear Mr. Todd:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1471-1, 1472-1, 1563-1 and 1774-1.

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



1472-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: TOMAHAWK LAKE COUNTRY CLUB, JON CARTER, 21567 BUFFALO LN,
DEADWOOD, SD 57732

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1471-1, 1472-1, 1563-1 & 1774-1. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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) 1471-1, 1472-1, 1563-1 & 1774-1 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, 2009** 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) 1471-1, 1472-1, 1563-1 & 1774-1 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 6, 2009**, 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/E0455V7-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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2009

Jon Carter
Tomahawk Lake Country Club
PO Box 572
Deadwood SD 57732 0572

RE: Water Permit or Right Nos. 1471-1, 1472-1, 1563-1 & 1774-1

Dear Mr. Carter:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1471-1, 1472-1, 1563-1 & 1774-1.

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,

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

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



1472-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2011

NOTICE

TO: TOMAHAWK LAKE COUNTRY CLUB, JON CARTER, PO BOX 572, DEADWOOD, SD 57732

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1471-1, 1472-1, 1563-1 & 1774-1. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 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) 1471-1, 1472-1, 1563-1 & 1774-1 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 9, 2011** 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) 1471-1, 1472-1, 1563-1 & 1774-1 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 4, 2011**, you will no longer be in violation of your permit and your name will be removed 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 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.

1472-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 17, 2011

Dav Van Den Heede
Tomahawk Lake Country Club
PO Box 572
Deadwood SD 57732 0572

RE: Water Permit or Right Nos. 1471-1, 1472-1, 1563-1 & 1774-1

Dear Sir:

I am writing to acknowledge receipt of the 2010 irrigation questionnaires for Tomahawk Lake Country Club.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1471-1, 1472-1, 1563-1 and 1774-1. The information was received in our office prior to the Water Management Board meeting and the issue 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
email: genny.mcmath@state.sd.us



1472-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2013

NOTICE

TO: TOMAHAWK LAKE COUNTRY CLUB, DAV VAN DEN HEEDE, PO BOX 572,
DEADWOOD, SD 57732

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1471-1, 1472-1, 1563-1 & 1774-1. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 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) 1471-1, 1472-1, 1563-1 & 1774-1 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 7, 2013** 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) 1471-1, 1472-1, 1563-1 & 1774-1 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 4, 2013**, you will no longer be in violation of your permit and your name will be removed 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 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.



1472-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 30, 2013

Dav Van Den Heede
Tomahawk Lake Country Club
PO Box 572
Deadwood SD 57732

RE: Water Permit/Right Nos. 1471-1, 1472-1, 1563-1 & 1774-1

Dear Sir:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Permit/Right Nos. 1471-1, 1472-1, 1563-1 & 1774-1. The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



1472-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: TOMAHAWK LAKE COUNTRY CLUB, CHAD ANDERSON, PO BOX 572, DEADWOOD,
SD 57732

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1471-1, 1472-1, 1563-1 & 1774-1. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 1471-1, 1472-1, 1563-1 & 1774-1 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 4, 2015** 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) 1471-1, 1472-1, 1563-1 & 1774-1 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 before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed 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 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.



1472-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 9, 2015

Chad Anderson
Tomahawk Lake Country Club
PO Box 572
Deadwood SD 57732

RE: Irrigation Questionnaires for Water Right Nos. 1471-1, 1472-1, 1563-1 & 1774-1

Dear Mr. Anderson:

I am writing to acknowledge receipt of the 2014 irrigation questionnaires for the country club. You may disregard the January 16, 2015, "Notice" concerning reporting requirements for these water rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

In reviewing the water rights for the country club, it would seem that some could be combined and therefore make reporting each year easier for you to do. Nos. 1471-1 and 1472-1 are for irrigation from a spring fed collection dam. No. 1563-1 is actually for use from a well for commercial use at the clubhouse and should not have included irrigation use. No. 1774-1 is for use of ground water to supplement the spring fed dam for irrigation purposes.

Please give me a call at your earliest convenience and we can discuss possible changes to the water rights.

Sincerely,

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



1472-1
DEPARTMENT of ENVIRONMENT
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January 15, 2016

NOTICE

TO: TOMAHAWK LAKE COUNTRY CLUB, CHAD ANDERSON, PO BOX 572, DEADWOOD,
SD 57732

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1471-1, 1472-1 & 1774-1. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 1471-1, 1472-1 & 1774-1 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** 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) 1471-1, 1472-1 & 1774-1 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 before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed 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 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.



1472-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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January 28, 2016

1471-1
1472-1
1774-1

Chad Anderson
Tomahawk Lake Country Club
PO Box 572
Deadwood D 57732 0572

Dear Mr. Anderson:

I am writing to acknowledge receipt of the 2015 irrigation questionnaires for Tomahawk Lake Country Club.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right Nos. 1471-1, 1472-1 and 1774-1. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us