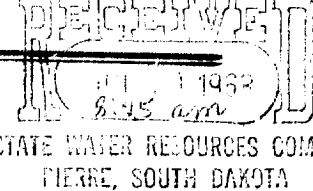


1054. 3

1. Considered 9-5, 1963
2. Name of Applicant ABERDEEN COUNTRY CLUB
3. Post Office Address ABERDEEN
4. Amount of water claimed .62 (70 GPM 1/2)
5. Source of water supply Artesian Ground Water
6. Water to be used for irrigation
Acres to be irrigated 43.20
7. Water to be diverted and used in Brown County about
W EDGE miles of ABERDEEN.
8. Proof of Publication Received 101
 Not Received
9. Application Approved
 Subject to
 Not Approved
 Action deferred
10. Remarks:

No. 1054-3Water Division No. 3 JAMES RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)

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

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

1. Name of applicant ABERDEEN COUNTRY CLUB, INCORPORATED
Postoffice address ABERDEEN, County BROWN, State SOUTH DAKOTA

I. If a corporation

- (a) Name of same ABERDEEN COUNTRY CLUB, INCORPORATED
(b) Date and place of incorporation South Dakota 1933
(c) Amount of capital stock None
(d) Amount paid in None
(e) Names and addresses of directors J McFarland, D W McDermott, M Larson
W Kearns, C Gorsuch, Dr. P Dickinson, and M Teigen all of Aberdeen, S.D.

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

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

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
COMPLETED - CONTRACT AND DIRECT LABOR

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

2. Name of diversion work IRRIGATION SYSTEM - ABERDEEN COUNTRY CLUB
3. Amount of water claimed cubic feet per second
4. Source of water supply WELLS NO. 1 & 2 AS SHOWN ON MAP (FLOWING)
5. Location of point of diversion DIVERSION LAGOON AS SHOWN ON THE MAP IN THE
SE CORNER OF NW 1/4 14-123-64 on bank BROWN County.
6. Annual period or periods during which water is to be used APRIL THROUGH OCTOBER
(GOLFING SEASON)
7. To be used for:

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

- (a) Number of acres to be irrigated 43.84 acres.

- (b) Legal subdivisions to be irrigated FAIRWAYS OF NW 1/4 14-123-64
(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.) DRINKING FOUNTAINS ON THE
GOLF COURSE

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

- (a) Nature of use PUBLIC RECREATION - PRIVATE COUNTRY CLUB
Name any of the above uses claimed

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

Amount claimed for engine cooling

- (c) Location of plant

- (d) Method of developing power

- (e) Point where water will be returned to stream

MAP NO 694-3

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Plumbing, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures \$..... Total, \$.....

9. Description of diversion works:

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

RESERVOIR

II. Dimensions of works.

(a) Dam: Height feet; length at bottom feet; length at top feet; thickness at bottom feet; thickness at top feet; slope at front water face; slope at back face material used in construction
 (b) Reservoir: Capacity when filled 10.32 acre feet. Surface area at highwater mark 1.36 acres.

DEPTH AT OUTLET- FEET	SURFACE AREA AT EACH G.N.E. DEPTH AT OUTLET- ACRES	ACRE- FEET CAPACITY
1	1.22	1.22
2	1.24	2.51
3	1.27	3.80
4	1.29	5.16
5	1.31	6.45
6	1.33	7.74
7	1.36	9.03
8	1.38	10.32

(c)* Head gate: Width FOUR feet; height TEN (8' DEPTH) feet; Material COMPACTED EARTH
 (d) Canal: Total length miles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work THREE years.
 11. Time required for complete application of water to the proposed beneficial use UNKN years.
 12. Choice of newspaper for publication of notice of intention to appropriate ABERDEEN AMERICAN NEWS

STATE OF SOUTH DAKOTA

County of

I, JOHN MCFARLAND, PRESIDENT, ABERDEEN COUNTY CLUB, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.)

Signed 1913

Subscribed and sworn to before me this day of 1913

Notary Public (or other qualified officer.)

B. W. McDERMOTT
 Notary Public, BROWN COUNTY, S. DAK.
 My Commission Expires MAY 27, 1916

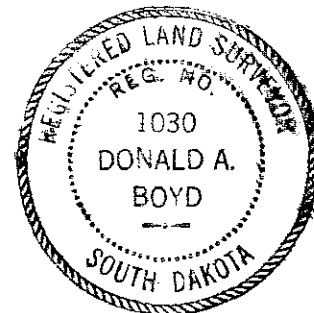
ABERDEEN COUNTRY CLUB

DON A. BOYD, R.P.E.
CONSULTING ENGINEER
ABERDEEN, SOUTH DAKOTA

DRAWN BY: TOM TEIGEN
13 JULY, 1963

SURVEYORS CERTIFICATE

I, DON A. BOYD, REGISTERED LAND SURVEYOR
IN THE STATE OF SOUTH DAKOTA, HEREBY
CERTIFY THAT THIS SURVEY WAS PERFORMED
BY ME OR UNDER MY DIRECTION AND
IT IS TRUE AND ACCURATE IN ALL RESPECTS



ACKNOWLEDGEMENT STATE OF SOUTH DAKOTA
COUNTY OF BROWN

ON THIS THE 13TH DAY OF JULY, 1963, BEFORE ME
A NOTARY PUBLIC, PERSONALLY APPEARED DON A.
BOYD KNOWN TO ME TO BE THE PERSON DESCRIBED
IN AND WHO EXECUTED THE WITHIN INSTRUMENT,
AND WHO ACKNOWLEDGED TO ME THAT HE
EXECUTED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES: April 1, 1967

DON A. BOYD, REGISTERED LAND SURVEYOR
SOUTH DAKOTA REGISTRATION NO. 1030

WELL NO. 1: Beginning at
SE. corner of NW 1/4
14-123-64; thence 1178
feet west; thence 692 feet
north.

WELL NO. 2: Beginning at
SE. corner of NW 1/4
14-123-64; thence 386
feet west; thence 455
feet north.

SYMBOLS:

irrigation piping, with
inside dimension in inches.

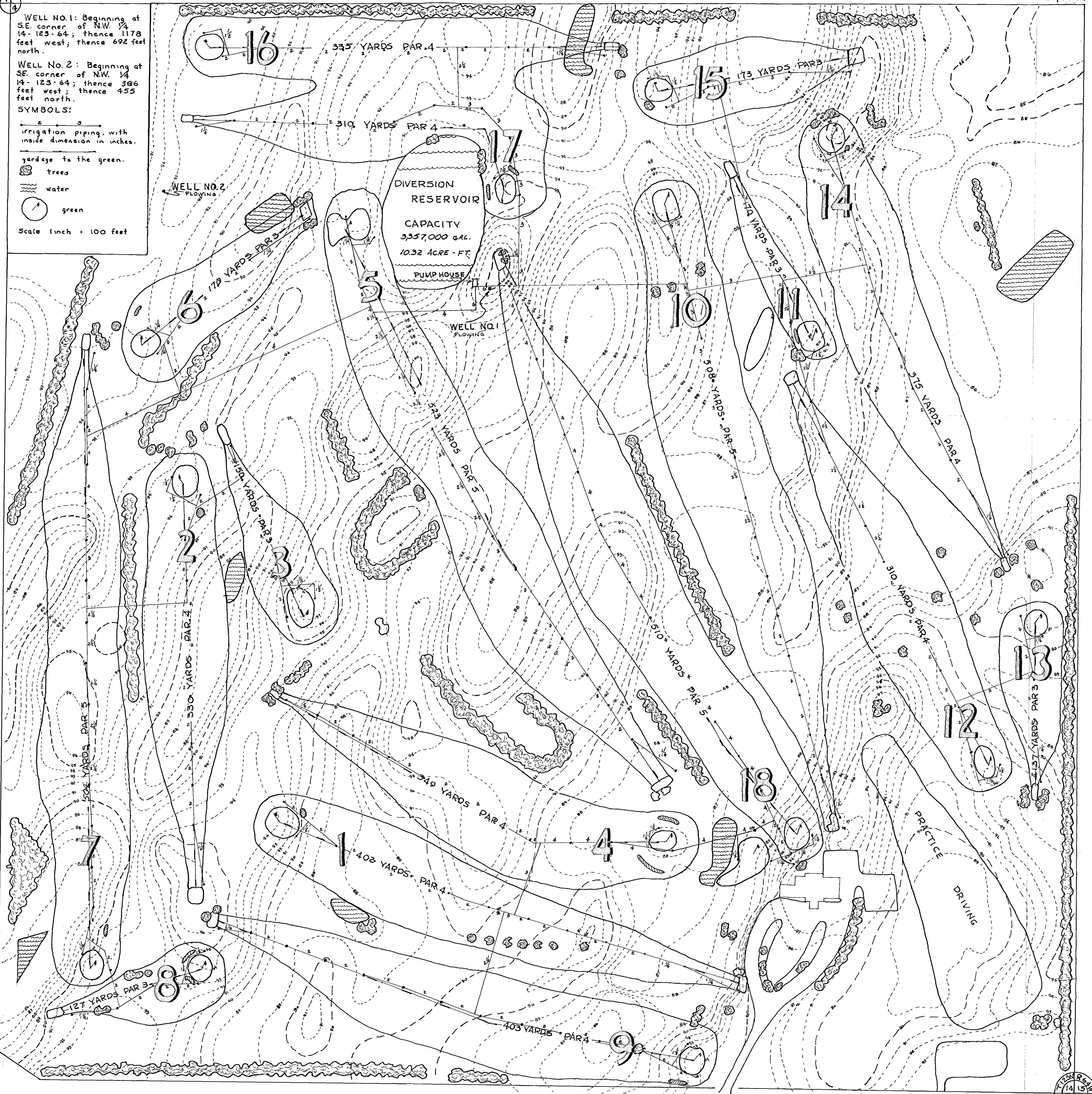
yardage to the green.

trees

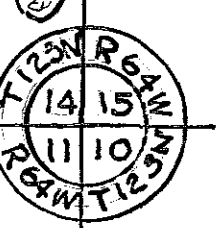
water

green

Scale 1 inch = 100 feet



MAP NO. 694-S
(APP. NO. 1054-3)



1) RESTRICTIONS ON THE DIVERSION RATE OF WELL #2 COULD DAMAGE IF SUCH DIVERSIONS SERIOUSLY AFFECT DIVERSIONS FROM OTHER LAKOTA WELL IN THE AREA WHICH WERE PREVIOUSLY DRILLED.

2) THIS PERMIT RECORDS THE "VESTED RIGHT" OF WELL #1 TO DIVERT 706 PM RE WATER, AND RECORDS THE "VESTED RIGHT" OF THE RESERVOIR (CAPACITY 10.32 ACREE FEET) LOCATION AS SHOWN ON W.R. MAP #694-3, TO STORE WATER

STATE OF SOUTH DAKOTA.

County of HUGHES

FROM THE WELLS AS WELL AS LOCAL DRAINAGE, PRIMARILY FROM THE NW¹/₄ SECTION 14, T125N, R66W, BOTH HAVING A PRIORITY DATE OF 1951

Pierre, South Dakota, NOVEMBER 4, 1963

This is to certify that the foregoing application was received by the Commission at 8:25 o'clock a.m. upon the 30TH day of JULY, 1963

State Water Resources Commission

By:

Burton J. Jones
Chief Engineer, Executive Officer

Number of permit 1054-3

Date of first receipt of application JULY 30, 1963

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

Date of receipt of corrected application STORAGE 10.32 AC FT. 1951 • 22CFS-JULY 30, 1963 • 15CFS-1951, 19—

Date from which applicant may claim right —, 19—

Approved SEPTEMBER 5, 1963, Recorded in Book 8 Page 132

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

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 5, 1965

2nd. The whole of said work is to be completed on or before SEPTEMBER 5, 1966

3rd. The limit of the proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 5, 1966

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

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

6th. The amount of the appropriation herein granted shall not exceed ~~10.32~~ .62 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before SEPTEMBER 5, 1966; said water to be used during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this 4TH day of NOVEMBER, 1963

State Water Resources Commission

By:

John R. Jones
Chief Engineer, Executive Officer

Certificate of Construction issued November 26, 1963

Water License issued November 26, 1963

9. (Continued)

III. Well Specifications

WELL NO. 1
DRILLED 1951

(a) Hole and casing

Size of drill hole or excavation 5" +, Depth 1245 FT.Type of casing STEEL
(wood, concrete, steel, etc.)Size of casing 5" Ø, Thickness of casing 1/4"Length of casing 100 FT. If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen NONE — 2.5 FT. (APPROX.)Size of perforated screen PERFORATED COPPER PIPE
(diameter) (length)

Thickness of gravel pack, length of gravel pack

(c) Water Bearing Materials

Distance to water 1230 FT. Character of water bearing materials FINE SANDThickness of water bearing material FIFTEEN FEET

(d) Pump and Motor

Type of pump FAIRBANKS - MORSE CENTRIFUGAL
(centrifugal, propeller, mixed flow, etc.)Name of pump FAIRBANKS - MORSE sizeKind of motor ELECTRIC
(gasoline, electric, diesel, etc.)Horsepower 75, Name of Motor FAIRBANKS - MORSE

(e) Complete well

Capacity 70 GPM at drawdown of Estimated cost 6000⁰⁰(f) Owner of land upon which well is located ABERDEEN COUNTRY
NameCLUB, INC., ABERDEEN, SOUTH DAKOTA
Address

(g) Distance to nearest existing wells

On same owner's property 50.5 rods. On property owned by others UNKN rods

WELL NO. 2
DRILLED 1963

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 5" + , Depth 1249 FT.

Type of casing 5" STEEL
(wood, concrete, steel, etc.)

Size of casing 5" Ø , Thickness of casing 1/4"

Length of casing 267.8 FT. If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen NONE - 40 FT, PERFORATED, TYPE K,

Size of perforated screen 3" Ø COPPER PIPE
(diameter) (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water 1230 FT. Character of water bearing materials

FINE SAND

Thickness of water bearing material NINETEEN FEET

(d) Pump and Motor

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

Name of pump FAIRBANKS - MORSE, size

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

Horsepower 75 , Name of Motor FAIRBANKS - MORSE

(e) Complete well

Capacity 100 GPM at drawdown of Estimated cost 7400⁰⁰

(f) Owner of land upon which well is located ARDEN COUNTRY

Club, Inc., ARDEN, SOUTH DAKOTA

(g) Distance to nearest existing wells

On same owner's property 50.5 rods. On property owned by others UNKN rods

SUPPLEMENTAL DATA, IRRIGATION SYSTEM, ABERDEEN COUNTRY CLUB, INCORPORATED, ABERDEEN, SOUTH DAKOTA

SPRINKLER NOZZEL DATA

TYPE: RAINBIRD SPRINKLER, HIGH-LOW NOZZLE

SIZE: 15/32"

PRESSURE: 60 P.S.I.

CAPACITY: 50 GALLONS PER MINUTE WITH 198 FT. DIAMETER

PUMP DATA

FAIRBANKS-MORSE, SPLIT CASING, 600 GPM, CENTRIFUGAL, 75 HP, 220 VOLT, 3 PHASE MOTOR.

WORKING PRESSURE: 120 POUNDS PER SQUARE INCH

PIPING DATA

TOTAL LENGTH: 16,000 FEET (APPROXIMATELY)

ALL PIPE SIZES 3" DIAMETER AND UP ARE ASBESTOS CEMENT PIPE.

ALL PIPE SIZES 2 1/2" DIAMETER AND BELOW ARE PLASTIC PIPE.

STATE OF SOUTH DAKOTA

WATER LICENSE No. 1054-3

WHEREAS, On the 30th day of July A. D. 1963
the Aberdeen Country Club, Incorporated

of Aberdeen County of Brown and State of
South Dakota duly made application (No. 1054-3) to us for a permit to use .62
cubic feet per second of the waters of ground water and run-off
County of Brown, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 4th day of November A. D. 1963
Permit No. 1054-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 5th day of
September A. D. 1966 and for the application to beneficial use of said
water on or before the 1st day of September A. D. 1966
and,

WHEREAS, On the 30th day of October A. D. 1963
the holder of said permit duly made proof of the completion of adequate works for the diversion of .62
cubic feet per second of said waters, as evidenced by our Certificate No. 1054-3
dated November 26, 1963 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use .62 cubic feet per second of water, with date of
priority of 1951 and July 30, 1963 and,

WHEREAS, On the 30th day of October A. D. 1963
proof was duly made of the application to beneficial use of .62 cubic feet per second of said water;
for irrigating 43.84 acres of fairways in the NW 1/4, Section 14, T123N, R64W

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to **the Aberdeen Country Club, Incorporated**
of **Aberdeen** the holder and owner of said permit No. **1054-3**
a water right, dating from **1951 and July 30, 1963** to the use of **.62**
cubic feet per second of the waters of **ground water and run-off**
in the County of **Brown** and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at **points in the SE¹ NW¹, Section 14,**
T123N, R64W
and conducted to and upon **portions of the NW¹, Section 14, T123N, R64W**

for the purpose of **irrigation**

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this **26th** day of **November** A. D. Nineteen
Hundred and **Sixty-Three**

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the Aberdeen Country Club, Incorporated

of Aberdeen, County of Brown, and State of South Dakota, the holder of Permit No. 1054-3, issued upon Application No. 1054-3, bearing date of priority of 1951 and July 30, 1963, authorizing the diversion of .62 cu. ft. per second of the waters of ground water and run-off

County of Brown, State of South Dakota, at points in the SE 1/4 NW 1/4, Section 14, T123N, R64W

for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use .62 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: fairways, comprising 43.84 acres in the NW 1/4, Section 14, T123N, R64W

Witness my hand this 26th day of November A. D. 1963

State Water Resources Commission

By:

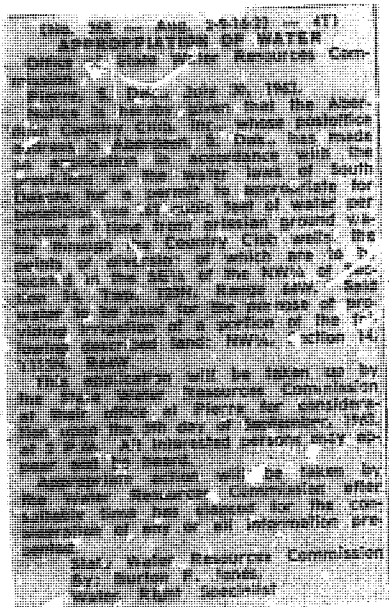
J. W. CRIMES

Chief Engineer, Executive Officer

Aberdeen American-News

PUBLISHED DAILY AND SUNDAY

ABERDEEN, SOUTH DAKOTA



Date August 2, 1963

FIRST PUBLICATION

Gentlemen:

Attached is a clipping from our edition of August 2, 1963

showing first insertion of _____

Appropriation of Water

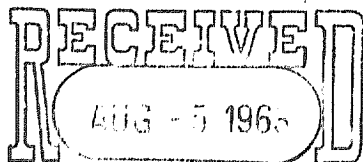
_____ which we shall publish as ordered as follows: _____

August 2-9-16-23-1963

Kindly check notice immediately and return if incorrect, noting corrections to be made.

ABERDEEN AMERICAN-NEWS

Advertising Department



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

TOTAL PUBLICATION COST \$15.54

on or before
(First Publication August 8, 1963)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., July 30, 1963

Notice is hereby given that the Aberdeen Country Club, Inc., whose postoffice address is Aberdeen S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use .62 cubic feet of water per second of time from the ~~xxxx~~ artesian ground water through the Country Club wells are the points of diversion of which ~~is~~ to be located ~~xxxx~~ ~~bank of said stream~~ in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 14 Twp. 123N Range 64W Said water to be used for the purpose of providing irrigation on/a portion of the following described land:
NW $\frac{1}{4}$, Section 14, T123N, R64W

~~and/or~~ ~~purposes.~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 5th day of September, 1963, at 2 P. M. All interested persons may appear and be heard.

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

State Water Resources Commission

By:

CC: Mr. Henry J. Schmitt, Publisher
Aberdeen American News
Aberdeen, South Dakota

BURTON F. JONES
Water Right Specialist

**SOUTH DAKOTA DEPARTMENT OF HEALTH
BACTERIOLOGICAL WATER ANALYSIS**

RESULTS

DO NOT WRITE IN THIS SPACE

Date: 7-3-63

Satisfactory at this time.

☒ Unsatisfactory☐ Send recheck sample immediately. Bottle being forwarded.☐ Send recheck sample immediately. Bottle being forwarded.Name: GAROLD M. MURPHYAddress: P.O. Box 464City: ABERDEEN, S.D.

PLEASE PRINT CLEARLY

TO BE FILLED IN CONJUNCTION WITH COLLECTOR

Town or Facility: WELL See Sample Collector G.M. MURPHY

WATER SYSTEM

SWIMMING POOL OR SPAC

Type of Supply: Municipal Other (Explain below)Source: Lake Stream Cistern Well Spring GalleyType of Well: Drilled Dug Driven BoredDepth of Well: 12.40 Diameter of Well: 3.5Sample Collected from: Drinking SpoutPurpose of sample: Routine Recheck Other (Explain below)

Remarks:

FOR LABORATORY ANALYSIS--DO NOT WRITE BELOW THIS LINE

MPN	24 hours	48 hours	72 hours	144 hours
10	5	3	3	3
10	3	3	3	3
10	3	3	3	3
10	3	3	3	3
0.01	3	3	3	3
0.001	3	3	3	3

Iron _____ Nitrate (N) _____ ppm.

Total Hardness _____ ppm.

Other Chemical Analysis: _____

Lab. No. 7111-3

**SOUTH DAKOTA DEPARTMENT OF HEALTH
BACTERIOLOGICAL WATER ANALYSIS**

RESULTS

DO NOT WRITE IN THIS SPACE

Date: 7-3-63

Satisfactory at this time.

☒ Unsatisfactory☐ Send recheck sample immediately. Bottle being forwarded.☐ Send recheck sample immediately. Bottle being forwarded.Name: GAROLD M. MURPHYAddress: P.O. Box 464City: ABERDEEN, S.D.

PLEASE PRINT CLEARLY

TO BE FILLED IN CONJUNCTION WITH COLLECTOR

Town or Facility: ABERDEEN COUNTY See Sample Collector G.M. MURPHY

WATER SYSTEM

SWIMMING POOL OR SPAC

Type of Supply: Municipal Private Other (Explain below)Source: Lake Stream Cistern Well Spring GalleyType of Well: Drilled Dug Driven BoredDepth of Well: 12.40 Diameter of Well: 3.5Sample Collected from: WellPurpose of sample: Routine Recheck Other (Explain below)

Remarks:

FOR LABORATORY ANALYSIS--DO NOT WRITE BELOW THIS LINE

MPN	24 hours	48 hours	72 hours	144 hours
10	5	3	3	3
10	3	3	3	3
10	3	3	3	3
10	3	3	3	3
0.01	3	3	3	3
0.001	3	3	3	3

Iron _____ Nitrate (N) _____ ppm.

Total Hardness _____ ppm.

Other Chemical Analysis: _____

Lab. No. 55 7111-63

Driller's Notice Of Intent To Construct Well

Water Resources Commission of South Dakota
State Office Building
Pierre, South Dakota

Gentlemen:

In accordance with Section 61.0406 of the 1960 Supplement to the South Dakota Code of

1939, Notice of Intent is hereby given to drill the following well.

Person for whom the well is to be drilled: Abbeeden Country Club
(Name)

Abbeeden, So Dak.
(Address)

Owner of land if other than above: Same
(Name)

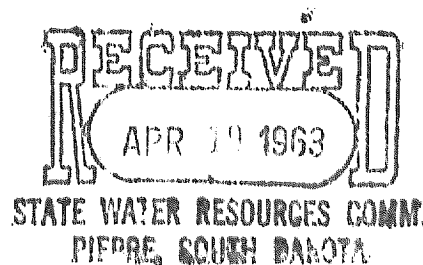
.....
(Address)

Location of well $\frac{1}{4}$, 7W $\frac{1}{4}$, Section 15 Township 123,
Range 64

Proposed use of water ✓
(domestic, irrigation, municipal, industrial, other)

Very truly yours,

Serdal & Rehfeld Drilling
By Serdal



Location No.

Water Division No. Water District

Proof of Application of Water to Beneficial Use**PETITION OF HOLDER**

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

Ans. ABERDEEN COUNTY CLUB, INC., PRIVATE MEMBERSHIP GOLF CLUB,
ABERDEEN, SOUTH DAKOTA

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

Ans. ABERDEEN COUNTY CLUB, INC., ABERDEEN, SOUTH DAKOTA
, TITLE OF OFFICER PRESIDENT

JOHN MCFARLAND

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

Ans.

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

Ans. DIVERSION RESERVOIR IN THE SE CORNER OF THE NW 1/4 14-123-64,
BROWN COUNTY, SOUTH DAKOTA.

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

Ans. DIVERSION RESERVOIR, 170 FEET X 330 FEET X 8 FEET (AVERAGE DEPTH)
CONTAINING 10.32 ACRE FEET (3,357,000 GALLONS) WATER STORAGE.

RESERVOIR IS FILLED FROM WELLS NUMBER 1 AND 2 (FLOWING) BY
PIPELINE. WELLS LOCATED IN NW 1/4 14-123-64, AS SHOWN ON MAP.

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

Ans. WATER IS USED FOR IRRIGATION VIA OVERHEAD SPRINKLING OF THE
FAIRWAYS, INVOLVING APPROXIMATELY 43.84 ACRES.

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

Ans. NOT APPLICABLE

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

Ans. DIRECTLY DEPENDENT ON SEASONAL RAINFALL. SEE QUESTION 10

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

Ans. NOT APPLICABLE

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

Ans. DEMAND REQUIREMENTS: 6 DAYS OF 8 DAYS, 8 HOURS PER DAY; PLUS
6 HOURS OF 8 DAYS FOR GRASS GREENS EXCLUSIVELY, LESS THE
MOISTURE DERIVED FROM RAINFALL.

(Sign) *John McFarland*

JOHN MCFARLAND, PRESIDENT

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Brown-Arden, County of Brown

State of South Dakota, on this 16th day of July A. D. 1963

Witnesses. *Notary Public*

D. W. McDERMOTT
Notary Public, BROWN COUNTY, S. DAK.
My Commission Expires MAY 2, 1966

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

In Permit under "Remarks by State Water Resources Commission"

1. Restrictions on the diversion rate of well No. 2 could be made if such diversion seriously affected diversions from other Lakota wells in the area previously drilled.
2. This permit records the vested right of well No. 1 to divert 70 g.p.m. of water and records the vested right of the reservoir, capacity 10.32 Ac.-Ft., location as shown on W. R. Map No. 694-3, to store water from the wells as well as local drainage, primarily from the Half section 14, T123N, R64W - Both having a priority date of 1951

Send correspondence, now, to
Mr. J. McFarland, President
Aberdeen Country Club, Inc.
Aberdeen South Dakota

Tell him that I have made final inspection
and the water license, etc. can be issued if
satisfactory

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____
 10-____, I have this day made a thorough examination of the diversion works constructed by the
 Aberdeen Country Club Incorporated, of Aberdeen South Dakota
 Brown County, South Dakota, holder of Permit No. 1054-3, issued
 upon Application No. 1054-3, bearing date of priority of July 30, 1963, authorizing the
 diversion of .62 cu. ft. per second of the waters of artesian source for Irrigation
 Recreation
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: A well drilled in 1963 to Lakota formation produces
 100 g.p.m. A Lakota well drilled in 1951 produces 70 g.p.m.
 A reservoir constructed in 1951 stores water from the two wells as
 well as local runoff, primarily that from the NW 1/4 section
 14, T123N - R64W. Water is taken from the reservoir at .62 cfs
 and the system is in the following condition: Good

The point of diversion is located the location at the two wells on the
 10.32 ac. ft. reservoir are as shown on W. R. Map No 694-3

The works are capable of diverting and conveying to the place of use .62 cu. ft. per second of water,
 which is to be used for Irrigation and recreation

The legal sub-divisions to be irrigated are: Eighteen greens and fairways
 located in the NW 1/4 section 14 T123N R64W.

comprising a total of 43.8 acres of land.

The domestic use intended comprises

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 30 day of October, A. D. 1963.

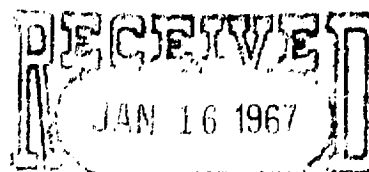
—SEAL—

Donald Driscoll

Examining Engineer.

Field and office Engineer
 State Water Resources Commission

January 13, 1967



WATER RESOURCES COM.

Mr. Grimes
Water Resources Commission
Pierre, South Dakota

Dear Mr. Grimes:

I am writing to secure information from you in regard to water rights. I am representing a committee for the Aberdeen Country Club. We have a serious water problem in our present location. The water is bad from both the standpoint of quality and quantity. We find it necessary to move to a new source of water.

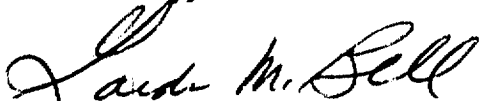
Most recommendations have suggested that we move the club in a direction northeast of Aberdeen. There are two potential water sources in that area. One is a county gravel pit which is in conjunction with a state owned pit. The other source is the Elm River from which the city of Aberdeen draws its supply.

I have checked with members of the Brown County Commission and the Mayor of Aberdeen. As far as they are concerned they have no objection to the golf course using these water sources. What action is necessary through your department to gain this permission.

These water sources would be only a temporary source as it is our understanding that this area falls within the proposed irrigation district and that we could utilize some of this water for golf course purposes. Is this true?

We'll appreciate hearing from you and if there is any other information which you need, kindly phone me collect.

Sincerely,


Gordon M. Bell

GMB/jmb

1054-3

688 10/6

XXXXXXXXXXXX
Clarence Mortenson, Hayes

January 16, 1967

Dr. Gordon M. Bell
Professional Arts Bldg.
Aberdeen, South Dakota

Dear Dr. Bell:

In your letter of January 13, 1967, you ask about
water rights for the Aberdeen Country Club.

Applications for water rights may be made to this
office for use of water from the gravel pits or the
Elm River. Application forms and instructions are en-
closed. Procedural steps to acquire water rights are
stated in Sections 61.0110 (page 5) through 61.0119
(page 7) of the enclosed water rights laws.

Depending somewhat upon location, it is quite likely
that a water supply may be obtained from the Oahe Unit
irrigation system. Specific details must await project
sponsorship arrangements and, of course, construction of
the project works.

Should you move the Aberdeen Country Club, cancella-
tion of your existing water rights should be arranged.

I hope that this information is helpful.

Sincerely,

JWG:ls
Enc's.

J. W. Grimes

May 26, 1976

Dr. Calvin Glenn, President
Aberdeen Country Club
1718 South Fourth
Aberdeen, SD 57401

Dear Dr. Glenn:

This letter is in reference to the conversation May 17, 1976 concerning water from two flowing wells at the Aberdeen Country Club. The Aberdeen Country Club, by permitting artesian wells to flow unchecked during periods of non-use and flow of water onto adjoining property, is in violation of several sections of the State Water Laws. SDCL 46-1-4 requires that waters of the State are to be put to beneficial use to the fullest extent possible and that waste is to be prevented. SDCL 46-6-14 provides that no persons shall allow an artesian well to flow to waste and SDCL 46-9-1 requires that any person operating an irrigation works shall not permit lands of another to be flooded.

Provisions need to be taken to reduce the flows of both flowing wells during periods of non-use to minimize the waste of the water. It is recognized that you can not completely shut off the flow of these wells, but it should be possible to reduce the flow. It is suggested that you contact your well driller concerning this matter.

The Country Club can not continue to allow water from its flowing wells to run onto adjoining property. You indicated that the Township had agreed to deepen a ditch to the west of the Country Club to allow drainage in the ditch from the area without running on the adjoining property. The ditch further down from the Country Club property may need to be cleaned up or reworked so that water is not backed up during freezing weather.

Dr. Calvin Glenn
Page 2
May 26, 1976

Please advise as to your intentions on this matter and what progress you are able to make. If we may be of any assistance, please let us know.

Very truly yours,

Mr. Calvin G. Green, President
~~Hobbs~~ Aberdeen Country Club
1718 South 4th
Pres. C. C. Aberdeen

Aberdeen C.C.

Dec 14 & 15

4:30 p.m. Monday
at Golf Course
do not use well
needs to be plugged

225-5910

complaint from
Dr Sam Hohman

MAYNES, TONNER & MAYNES

ATTORNEYS AT LAW

MAYNES BLDG.

505 SOUTH WASHINGTON

ABERDEEN, SOUTH DAKOTA 57401

ATTORNEYS:

JOE L. MAYNES
THOMAS P. TONNER
JOHN L. MAYNES
THOMAS M. TOBIN

RESEARCH & INVESTIGATION
RAY E. PALMER

June 2, 1976

POST OFFICE BOX 1127
TELEPHONE (605) 225-5772

RECEIVED

JUN 4 1976

DEPT. OF NATURAL
RESOURCE DEVELOPMENT

Mr. John Hatch,
Chief Engineer
Water Rights Commission
Department of Natural Resource Development
Joe Foss Building
Pierre, South Dakota 57501

Dear Mr. Hatch:

I wish to advise that Dr. Calvin Glenn, President of the Aberdeen Country Club, turned over to this office for response your communication dated May 26, 1976.

I have been out of town for the last couple of weeks and have not had an opportunity to delve into the subject matter of your letter but will do so and will then respond to you immediately.

You indicated in the last paragraph that your Department might be of assistance, and I was wondering if maybe you had a solution that would benefit all parties and especially, be acceptable to all parties.

Thanking you, I remain

Yours very truly,

MAYNES, TONNER & MAYNES



Joe L. Maynes

JLM: jld

cc: Dr. Calvin Glenn
President
Aberdeen Country Club
1718 South Fourth
Aberdeen, South Dakota 57401

Re: 1054-1

June 24, 1976

Joe L. Maynes
Maynes, Tonner, & Maynes
Box 1127
Aberdeen, SD 57401

Dear Mr. Maynes:

This will acknowledge your letter concerning the Aberdeen Country Club flowing wells. We will provide any technical assistance we can; however, you should contact your well driller.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Commission

JH:nlm

 **Department of
Water & Natural Resources**

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

March 23, 1987

ABERDEEN COUNTRY CLUB, Lloyd Johnson
PO BOX 1302
ABERDEEN, SD 57401

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 1054-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, 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(s), the Water Management Board can:

1. Amend Permit No(s). 1054-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.



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

NOTE: If the questionnaire(s) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

April 3, 1987

1054-3

Lloyd Johnson
Aberdeen Country Club
Box 1302
Aberdeen, SD 57401

Dear Mr. Johnson:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 1054-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

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

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



Department of Water & Natural Resources

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

September 21, 1988

NOTICE

Lloyd Johnson, Chr.
Aberdeen Country Club
PO Box 1302
Aberdeen SD 57401

Dear Mr. Johnson:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 1054-3 until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

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

Very truly yours,

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



Conversation or File Documentation

NAME OF PERSON OR FILE: Aberdeen Country ClubADDRESS: _____ COUNTY BrownDATE: Sept 28, 1988 TELEPHONE _____RE: Chairman Change

COMMENTS:

Clifford Hulbert called to have us change records for the Country Club. He stated Lloyd Johnson no longer works with them. The new chairman is Howard Dahme. When contacting them for inspection - ask for either of the following:

Clifford Hulbert 225-6161
or Howard Dahme 225-3917
(Chairman)

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: Garry McMath

Conversation or File Documentation

NAME OF PERSON OR FILE: Aberdeen Country ClubADDRESS: P.O. Box 1302, Aberdeen, SD COUNTY BrownDATE: 7-27-89 TELEPHONE (605) 225-8186RE: Investigation of Vested Right 1054-3

COMMENTS:

I inspected Vested Right claim No. 1054-3 for the Aberdeen Country Club on 7-27-89. The golf course was utilizing two wells which flow into a diversion reservoir which also collects area runoff. Water from the reservoir is pumped via underground lines to the various fairways and greens of the course.

The two wells + diversion pond were located as stated on the water license. At the time of the inspection the wells were flowing into the pond at approximately 50 GPM each. Both of the wells had control valves on them. The course still covers the same area and the number of acres irrigated has not changed. The Vested Right can be validated as shown on the original water license.

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: Thomas W. Pearson

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1054-3 FOR IRRIGATION

Date of Receipt of Claim July 30, 1963.

Date of Validation March 4, 1992.

The Water Management Board validated Vested Water Right Claim No. 1054-3 for irrigation purposes for Aberdeen Country Club, C/o David Comstock, PO Box 906, Aberdeen SD 57402-0906 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1054-3 appropriates 0.15 cubic feet of water per second from one well, approximately 1,245 feet deep, and authorizes storage of 10.32 acre feet in a pond; both located in the SE 1/4 NW 1/4 Section 14-T123N-R64W to irrigate 43.84 acres. The irrigated acreage is located in the NW 1/4 Section 14-T123N-R64W.
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. Water is to be used during the following annual period: April 1 - October 31.
3. The priority date of the Vested Water Right is January 1, 1951.
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

This permit records the "vested right" of Well #1 to divert 70 gpm of water and records the "vested right" of the reservoir (capacity 10.32 acre feet) location as shown on Water Right Map No. 694-3, to store water from the wells as well as local drainage primarily from the NW 1/4, Section 14-T123N-R64W both having a priority date of 1951.

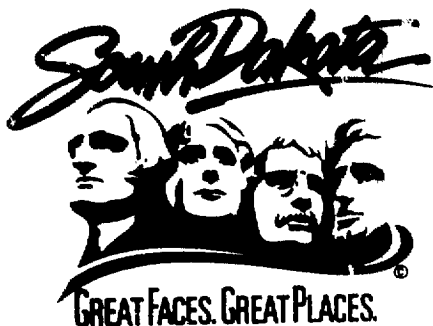
WATER MANAGEMENT BOARD

By: 
Chief Engineer

MAY 12 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



MAY 12 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Aberdeen Country Club
% David Comstock
PO Box 906
Aberdeen SD 57402-0906

Dear Mr. Comstock:

The Water Management Board has validated the enclosed Vested Water Right No. 1054-3. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

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

enclosure

Original inspection by Tom Brandner 7-27-89

David Comstock
Owner-Pro
7/27/89

LICENSE FOR PERMIT NUMBER 1054-3

1. Legal location of wells: _____
_____ dams & structures: _____

2. Well Information: Well Drilling Firm _____

Completion Report Yes ___ No ___ No. of Wells 2 Depth _____
Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level _____
Pump a) make VLD Motor a) make Century Elec.
b) model _____ b) model No. 6-321178-D7
c) size _____ c) horsepower rating 7.5
d) capacity _____ gpm
e) turbine pump - no. of stages _____
f) operating PSI _____

3. Distribution lines or canals
a) size 4" - PVC
b) type PVC
c) length _____

Map correct on well locations and acreage contacted David Comstock Owner-Pro Oct 23, 97
Sally McSelken

4. Dam Information:
a) height to crest _____ m) Outlet tubes:
b) height to primary spillway _____ 1) diameter _____
c) height to secondary spillway _____ 2) type _____
d) crest width _____ 3) valved (Y/N) _____
e) crest length _____ 4) valve type _____
f) spillway length _____ 5) location on structure _____
g) spillway width _____
h) approx. storage _____ n) Category of Dam _____
i) approx. storage to crest _____
j) date constructed _____
k) inspection sheet completed (Y/N) _____
l) Name of Contractor _____

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of
sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) end gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____

- 8) capacity (GPM) _____

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
---	---	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
---	---	2. Special qualifications to permit being abided by?
---	---	3. All structures, wells and lands on map?
---	---	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
---	X	5. Is chemigation used?
---	X	6. If yes, does equipment comply with chemigation rules?

REMARKS:

MEMO

November 14, 1997

Water right number 1054-3 Aberdeen Country Club, David Comstock, Owner Golf Pro, was issued 4 November 1963. The permit consists of a well and dugout with a priority date of 1951 and an additional well with a priority date of 30 July 1963 to irrigate 43.84 acres of golf course in the NW1/4 section 14 T123N R64W with 0.62 cubic feet of water.

The permit was inspected and licensed on 26 November 1963.

Mr. Tom Brandner inspected 1054-3 on 27 July 1989 and found the system as described in the water license.

I found the system to be constructed as described in the license and as shown on the detail map filed with the original application.

A handwritten signature in cursive script, appearing to read "Gale N. Selken".

Gale N. Selken P.E.
Natural Resources Engineer IV

2000 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
Please fill out and return before December 1, 2000

Am

1054-3
ABERDEEN COUNTRY CLUB
DAVID COMSTOCK
PO BOX 906
ABERDEEN SD 57402 0906

CHANGES TO ADDRESS LABEL, IF ANY:
ABERDEEN CLINICS
2604 W. RUSSELL
SIOUX FALLS, SD. 57109
Telephone No. **605 367-7097**

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57501-3181 (605) 773-3352

1. Is the system constructed? *yes ☒ no ☐

*Type of system used (check all that apply):

center pivots ☐ towlines ☐ big gun ☐

flood ☐ sprinklers ☐ other ☐

2. Did you irrigate in 2000? *yes ☒ **no ☐

*If yes, number of acres irrigated 30

**If no, list reason(s) in comment section:

3. Source of water: WELL

4. Is land enrolled in CRP? *yes ☐ no ☒

*If yes, through what year?

5. Did you apply chemicals or fertilizer through the system in 2000? *yes ☐ no ☒

* If yes, a separate chemigation form is **NOT** needed.

Comment Section:

Office use only



The portion of the form for reporting acres irrigated is on the back of this page. Listed below are two examples of how to complete the form:

EXAMPLE 1: In June & July, 130 acres were irrigated using a pivot system (70 acres of corn & 60 acres of alfalfa). The pump rate of the pivot is 800 gallons per minute and you pumped 8 days (@ 24 hours per day) on the corn and 22 days on the alfalfa:

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	8	24
	ALFALFA	60	800 GPM	10	24
JULY					
	ALFALFA	60	800 GPM	12	24

EXAMPLE 2: In June, 40 acres of alfalfa were irrigated (using gated pipe @ 3000 gpm) for 5 days - 24 hours per day; 60 acres of beans were irrigated (using big gun @ 380 gpm) for 10 days at 24 hours per day:

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

For ease in calculating water use, please specify if actual irrigation hours or kilowatt hours are being reported. For kilowatt hours, include depth to water & system pressure in comment section.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 15, 2000

No. 1054-3

Aberdeen Links
2604 W Russell
Sioux Falls SD 57104

Dear Sir:

Thank you for returning the 2000 Irrigation Questionnaire. The form indicated the water right needed to be transferred to a new owner. Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1054-3. The water right is currently listed in the name of Aberdeen Country Club.

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

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

A 1997 investigation of this water right found that two wells, valved to 50 gallons per minute, flowed into a 10.32 acre-feet storage pond for irrigation of 43.84 acres. Is this still how this system operates?

Upon answer to the above question and return of the completed form, the water right will be transferred to you. If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 21, 2000

No. 1054-3

Aberdeen Links
Terry Comstock, President
2604 W Russell
Sioux Falls SD 57104

Dear Mr. Comstock:

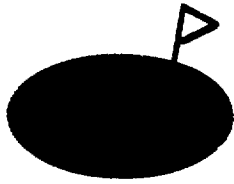
We have received the "Notice of Transfer" for the ownership change on Water Right No. 1054-3. As stated in my previous letter, a filing fee of \$2.50 is required.

Upon receipt of the fee, the water right will be transferred to you. Thank you for clarifying how the system operates. If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Karen Schlaak'.

Karen Schlaak
Water Rights Program
605 773-3352



ABERDEEN LINKS GOLF COURSE

Terry Comstock - President

605-225-8135

fax - 605-367-4601

Tom Jansa - Vice President

email - tjansa@dakotagolf.com

1500 8th Avenue N.W. Aberdeen, SD 57401

Date: November 20, 2000

From: Terry Comstock, President

**To: Water Rights Program, Karen Schlaak
Department of Environment and Nat. Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182**

Re: Water Right No. 1054-3

This system still operates as the 1997 investigation indicated: two wells, valved to 50 gallons per minute, flowed into a 10.32 acre-feet storage pond for irrigation of 43.84 acres.

If you have any questions you may contact us at 605-367-7092.

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 1054-3

Date: 11/20/00

I/We request that Water Right No. 1054-3

formerly owned by: Aberdeen Country Club

be transferred to: (name & address) Aberdeen Links, Inc. 2604 W Russell
Sioux Falls, SD 57104 Telephone No. (605) 367-7092

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

43.84 acres of fairways in the NW 1/4 Section 14-T123N-R64W

I/We understand that the validity of Water Right No. 1054-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

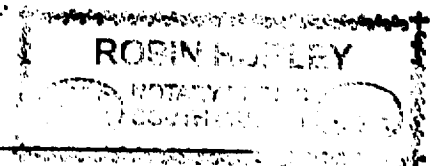
STATE OF SOUTH DAKOTA)
County of Brown)

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

Terry Comstock (President)
(Signed)

Subscribed and sworn to before me this 20 day of November, 192000.

Robin Hurley
(Notary Public)



My Commission Expires 6-7-04

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416698

Pierre, November 29, 2000

RECEIVED OF Aberdeen Links, Inc., 1500 8th Ave NW, Aberdeen SD 57401

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. _____

Fee for Filing Transfer Form No. 1054-3 _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By Garland Ebele
Chief Engineer

KS



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 30, 2001

1054-3

Terry Comstock, President
Aberdeen Links, Inc
2604 W Russell
Sioux Falls, SD 57104

Dear Mr. Comstock:

Thank you for following up on the ownership change for Water Right No. 1054-3. The transfer has been completed. The water permit formerly listed in the name of Aberdeen Country Club is now listed in the name of Aberdeen Links, Inc.

Enclosed is your Receipt No. 416698 in the amount of \$2.50. The transfer was actually effective back in November, 2000 when you filed the ownership change. When reviewing the file, I noticed that we had not officially notified you that the ownership change had been processed. I apologize for the delay.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 11, 2002

1054-3

John McDowell
Rolling Hills Golf Development, Inc
3000 3rd Ave SE
Aberdeen SD 57401

Dear Mr. McDowell:

I am writing to acknowledge receipt of the 2002 irrigation questionnaire for Partial Vested Water Right No. 1054-3. No. 1054-3 is currently listed in the name of Aberdeen Links, Inc.

It is my understanding that the partial vested water right should be transferred to Rolling Hills Golf Development Inc. Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please let me know.

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

DEC 18 2002

WATER RIGHTS
PROGRAM

No. 1054-3

Date: 12-16-02

I/We request that Partial Vested Water Right No. 1054-3

formerly owned by: Aberdeen Links, Inc

be transferred to: (name & address) ROLLING HILLS GOLF Development, LLC
3000 3RD AVE SE

ABERDEEN, SD 57401 Telephone No. 605-225-8122

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

43.84 acres in the NW ¼ Section 14, T123N, R64W

I/We understand that the validity of Partial Vested Water Right No. 1054-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We R. H. G. D., LLC
John McDowell
member, the new owner, certify that the above information is true and correct.

John McDowell
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 18, 2012

RECEIVED OF Rolling Hills Golf Development LLC, 3000 3rd Ave SE, Aberdeen SD 57401

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	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1054-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____	2	50
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	2.50	

No.

000119

By

Stanley Ebele
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 18, 2002

1054-3

John McDowell
Rolling Hills Golf Development, LLC
3000 3rd Ave SE
Aberdeen SD 57401

Dear Mr. McDowell:

Thank you for following up on the ownership change for Partial Vested Water Right No. 1054-3. The transfer has been completed. No. 1054-3 formerly held by Aberdeen Links Inc is now listed in the name of Rolling Hills Golf Development, LLC.

Enclosed is your Receipt No. 000449 in the amount of \$2.50 which you paid for filing the ownership change.

If I can answer any questions for you, please let me know.

Sincerely,

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

enclosure



**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: ROLLING HILLS GOLF DEVELOPMENT LLC, JOHN MCDOWELL, 546 PALMER CIRCLE,
ABERDEEN, SD 57401

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 has not been submitted for Permit No(s) 1054-3. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1054-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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.

1054-3

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Track & Confirm

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Label/Receipt Number: 2303 2160 0000 0799 6880
Status: **Delivered**

Your item was delivered at 9:02 AM on January 30, 2007 in ABERDEEN, SD 57401. The item was signed for by J LEINEN.

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 6880

ROLLING HILLS GOLF DEVELOPMENT LLC
JOHN MCDOWELL
546 PALMER CIRCLE
ABERDEEN SD 57401

Waiver of Signature ☐ YES ☐ NOPostmark
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PS Form 3800, May 2002

(See Reverse)



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 12, 2007

1054-3

John McDowell
Rolling Hills Golf Development LLC
546 Palmer Circle
Aberdeen SD 57401

Dear Mr. McDowell:

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. 1054-3.

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