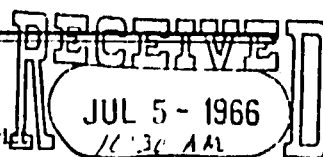


129A-3

1. Considered 9. 13, 1966
2. Name of Applicant Recreation Development Assoc. Inc.
3. Post Office Address Elk Point
4. Amount of water claimed 1.45
5. Source of water supply Ground water
6. Water to be used for Irrigation & recreation
Acres to be irrigated 100
7. Water to be diverted and used in Harney County
about 9. 20 miles of Elk Point
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1294-3
 Water Division No. 3 BIG SIOUX RIVER District
 (Blanks to be filled by the Engineer for the W. R. C.)



STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant RECREATION DEVELOPMENT ASSOCIATION, INC.
 Postoffice address Elk Point, County Union, State South Dakota

- I. If a corporation _____
 (a) Name of same RECREATION DEVELOPMENT ASSOCIATION, INC.
 (b) Date and place of incorporation September 10, 1965, Elk Point, South Dakota
 (c) Amount of capital stock Indefinite
 (d) Amount paid in \$20,000.00
 (e) Names and addresses of directors John F. Murphy, Edmund Curry, H. J. Tiemens,
John Kalstad, Robert Walsh, Robert Donnelly, Daryl Chicoine, Elk Point,
South Dakota

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

- II. Method of accomplishing the work and financial resources of the applicant:
 (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
Contract
 (b) Cash on hand, \$ 20,000.00 (c) Treasury stock, \$ _____
 (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Not applicable Golf Course Well
 3. Amount of water claimed 1.45 cubic feet per second 655 Gal. per minute
 4. Source of water supply Well
300' E & 150' S OF THE NW 1/4 CORNER,
 5. Location of point of diversion See attached map
Section 30, 29N, R19W on _____ bank Union County.

6. Annual period or periods during which water is to be used April to October
 7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? sprinkler
 (a) Number of acres to be irrigated 102 acres.

- (b) Legal subdivisions to be irrigated See attached map

(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.) _____

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

- (a) Nature of use Public Recreation
 Name any of the above uses claimed

- (b) Amount of power to be generated 30 horse power.
 Amount claimed for engine cooling None

- (c) Location of plant at well site

- (d) Method of developing power Electricity

- (e) Point where water will be returned to stream None

MAP 22-908-3

8. Estimated cost of work:

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

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

(c) Fluming, \$.....

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

Rock, \$.....

(e) Other structures

\$.....

Total, \$.....

9. Description of diversion works:

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

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom feet; length at top

.....feet; thickness at bottomfeet; thickness at top

feet; slope at front water face; slope at back face

material used in construction

(b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

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

(c)* Head gate: Width.....feet; heightfeet;

Material

(d) Canal: Total lengthmiles.

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 work⁵.....years.

11. Time required for complete application of water to the proposed beneficial use³..... years.

12. Choice of newspaper for publication of notice of intention to appropriate Leader-Courier,
.....
Elk Point, South Dakota

STATE OF SOUTH DAKOTA

County of Union

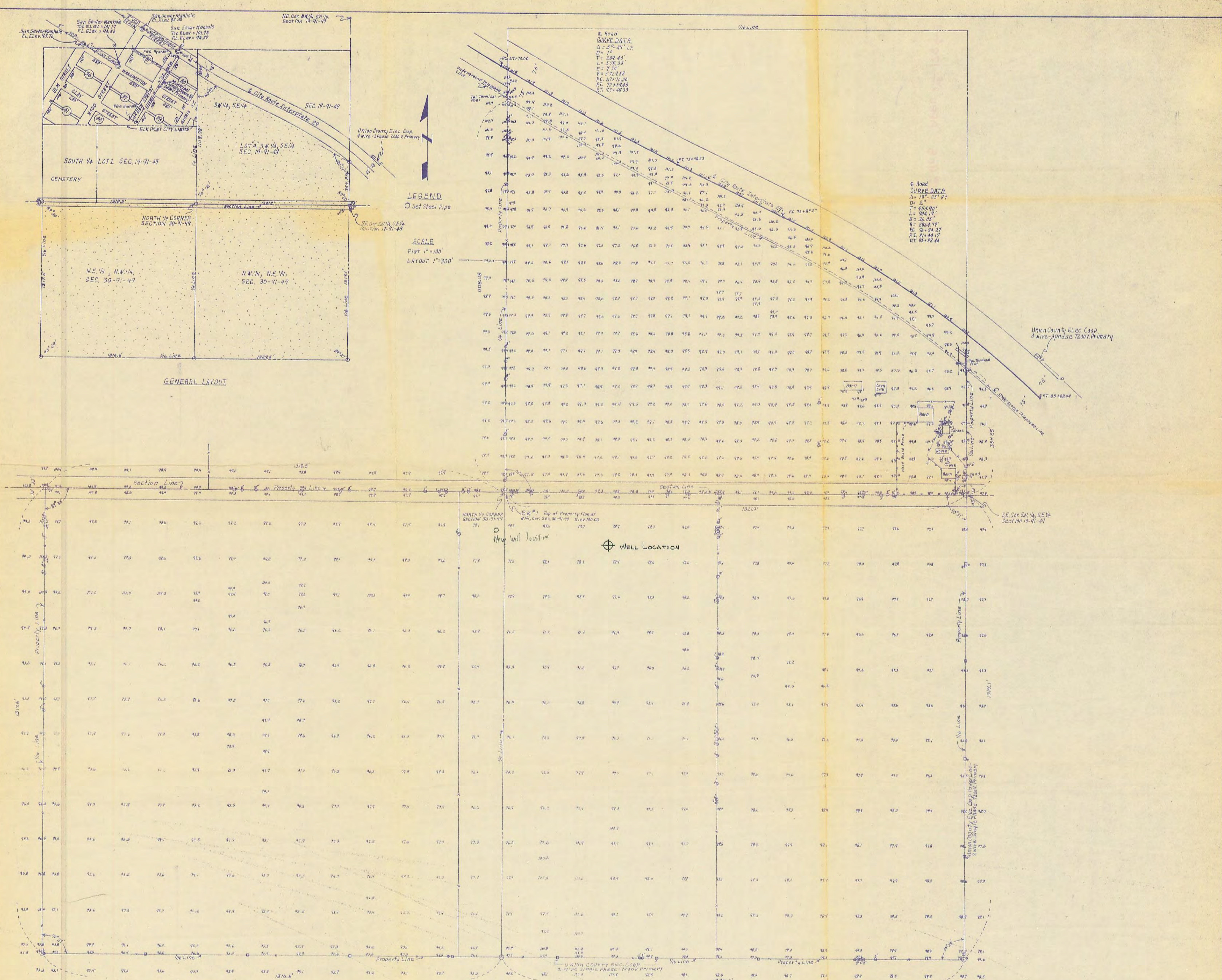
I, Edmund L. Curry, H. J. Twiss, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Subscribed and sworn to before me this 1st day of July 1966

L. J. Van Buren
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



SURVEYOR'S CERTIFICATE

I, Robert B. Johnson, Registered Professional Engineer and Land Surveyor, have at the direction of the Recreation Development Association of Elk Point, South Dakota, made a survey of four tracts of land as described in the Warranty Deed conveying said tracts from Ernesting Redtke, grantor, to the Recreation Development Association, grantee, of Elk Point, South Dakota. The four tracts shall be hereafter known as follows:

1. The N.E. 1/4 of the N.W. 1/4 of Section 30, Twp. 91 North, Range 49 West of the 5th P.M. in Union County, South Dakota, containing 39.86 Acres, more or less.
2. The N.W. 1/4 of the N.E. 1/4 of Section 30, Twp. 91 North, Range 49 West of the 5th P.M. in Union County, South Dakota, containing 40.06 Acres, more or less.
3. The two tracts described by Metes and Bounds, in the Above Mentioned Warranty Deed are combined and shall hereafter be known as Lot A of the S.W. 1/4 of the S.E. 1/4 of Section 19, Twp. 91 North, Range 49 West of the 5th P.M. in Union County, South Dakota, containing 22.87 Acres, more or less.

I certify that the Locations and Dimensions of the Above tracts are as shown on the Plat Above and are true and correct to the best of my knowledge and belief.

I certify that I have Executed the Above Instrument this 1st day of February 1964 A.D.

SEAL Robert B. Johnson
Reg. Prof. Engineer and Land Surveyor

OWNER'S CERTIFICATE

I, President of the Recreation Development Association of Elk Point, President of the Recreation Development Association of Elk Point, South Dakota, do hereby certify that the Warranty Deed conveying said tracts from Ernesting Redtke, grantor, to the Recreation Development Association, grantee, of Elk Point, South Dakota, is the absolute and unqualified owner of the N.E. 1/4 of the N.W. 1/4 of Section 30, Twp. 91 North, Range 49 West of the 5th P.M.; the N.W. 1/4 of the N.E. 1/4 of Section 30, Twp. 91 North, Range 49 West of the 5th P.M.; and of Lot A of the S.W. 1/4 of the S.E. 1/4 of Section 19, Twp. 91 North, Range 49 West of the 5th P.M. in Union County, South Dakota; that the Above tracts shall hereafter be known by the Description as set forth above; and that the Above Plat and Survey was made at my request, as a director, and for the purpose of defining and describing the Property contained within the Bounds as described as shown on the Above Plat; and that the Above Property is Free and clear of any Encumbrance.

Witness my hand and seal this 1st day of February 1964 A.D.

President of the Recreation Development Association (SEAL)

RESOLUTION OF APPROVAL

WHEREAS, It appears that the Owner thereof has caused a Plat to be made of the following described Real Property; the N.E. 1/4 of the N.W. 1/4 of Section 30, Twp. 91 North, Range 49 West of the 5th P.M.; the N.W. 1/4 of the N.E. 1/4 of Section 30, Twp. 91 North, Range 49 West of the 5th P.M.; and Lot A of the S.W. 1/4 of the S.E. 1/4 of Section 19, Twp. 91 North, Range 49 West of the 5th P.M. in Union County, South Dakota; and has submitted such Plat to the County Commissioners of Union County for Approval; Now therefore be it Resolved that such Plat has been accepted according to the Law and the same is hereby approved and the County Auditor is hereby authorized and directed to endorse on such Plat a Copy of this Resolution and Certify the same.

SEAL Notary Public, Union County, State of South Dakota

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

The undersigned, County Director of Equalization of Union County, South Dakota, hereby certifies that he has received a copy of the foregoing Plat.

Dated this 1st day of February 1964 A.D.

Union County Director of Equalization

COUNTY TREASURER'S CERTIFICATE

The undersigned, Treasurer of Union County, hereby certifies that all taxes that are Liens upon any of the Land included in the Above Plat, as shown by the Records in my office, have been paid.

Dated this 1st day of February 1964 A.D.

Union County Treasurer

COUNTY AUDITOR'S CERTIFICATE

I, County Auditor of Union County, South Dakota, do hereby certify that the within and foregoing is a true copy of the Resolution passed by the Board of Commissioners of Union County, South Dakota, on this 1st day of February 1964 A.D.

County Auditor

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, SEPTEMBER 16 1966

This is to certify that the foregoing application was received by the Commission at 10:30 o'clock
2 m. upon the 5TH day of JULY, 1966

State Water Resources Commission

By:

Burton J. Jones
for Chief Engineer, Executive Officer

Number of permit 1294-3

Date of first receipt of application JULY 5, 1966

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right JULY 5, 1966

Approved SEPTEMBER 15, 1966, Recorded in Book 9 Page 155

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 15, 1969

2nd. The whole of said work is to be completed on or before SEPTEMBER 15, 1971

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

SEPTEMBER 15, 1974

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

RECREATION

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 1.45 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 15, 1974; said water to be used during the following described annual period:

APRIL TO OCTOBER

Witness my hand this 16TH day of SEPTEMBER, 1966.

State Water Resources Commission

By:

Charles J. Jones

Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 27, 1970

Water Licence Issued OCTOBER 27, 1970

Form 15.

Permit No. 1294-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Recreation Development Association, Inc.

_____ the holder _____ of
Permit No. 1294-3, issued upon Application No. 1294-3, bearing date of priority of July 5, 1966
_____ authorizing the diversion of 1.45 cu. ft. per second of the waters of _____
ground water County of Union, State of South Dakota at _____
a point South 285' and West 70' from the NE Corner, Section 30, T91N, R49W
_____, for irrigation

purposes, has ⁸ complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 1.34 cu. ft. per second of water.

Date October 27, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1294-3

(1) WHEREAS, On the 5th day of July, A. D. 1966
Recreation Development Association, Inc.

made Water Right Application No. 1294-3 for a permit to use 1.45 cubic feet per second of the waters
of ground water

County of Union, State of South Dakota, for irrigation
purposes, and

(2) WHEREAS, On the 16th day of September, A. D. 1966

Permit No. 1294-3 with a date of priority of July 5, 1966

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 15th day of September, A. D. 1971 and for the
application to beneficial use of said water on or before the 15th day of September, A. D. 1974

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 1.34 cubic feet
per second of water for beneficial use and.

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

for irrigating the following land in T91N, R49W

Section 19, lot A, SW $\frac{1}{4}$ SE $\frac{1}{4}$	22 acres
Section 30, NE $\frac{1}{4}$ NW $\frac{1}{4}$	40 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$	40 acres
Total	102 Acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to, Recreation Development Association, Inc.

_____ of Elk Point

the holder _____ and owner _____ of said permit No. 1294-3 a water right, dating from July 5, 1966

_____ to use of 1.34 cubic feet per second of the waters of ground water

in the County of Union and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point South 285' and West 70' from the N $\frac{1}{2}$ Corner,

Section 30, T91N, R49W

and conduct to and upon portions of Sections 19 and 30, T91N, R49W, described on the face of
this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1294-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 27th day of October A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 35" . Depth Est. 110 feet.
 Type of casing Concrete
 (wood, concrete, steel, etc.)
 Size of casing 18" . Thickness of casing 4"
 Length of casing 4 feet . If collection gallery, length, size and depth of
 gallery

(b) Screens

Type of perforated screen Concrete
 Size of perforated screen 18" 4 ft.
 (diameter) (length)
 Thickness of gravel pack 9" . length of gravel pack 110'

(c) Water Bearing Materials

Test hole log to be mailed

Distance to water . Character of water bearing materials

Thickness of water bearing material

(d) Pump and Motor

Type of pump Turbine
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump Fairbanks Morse . size 6"
 Kind of motor Electricity
 (gasoline, electric, diesel, etc.)
 Horsepower 30 . Name of Motor

(e) Complete well

Capacity 1,000 at drawdown of 12' . Estimated cost \$3,500.00

(f) Owner of land upon which well is located Recreation Development Assoc., Inc.
 Name

Address Elk Point, South Dakota

(g) Distance to nearest existing wells

320 rods

On same owner's property none . On property owned by others 320 rods

(First Publication on or before August 18, 1966)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak,

August 5

66

19

the Recreation Development Association, Inc.

Notice is hereby given that _____ whose postoffice

address is Elk Point _____ S. Dak., has made an application in accordance with

the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.45

cubic feet of water per second of time from the _____ ground water _____ through the
Golf course well _____, the point of diversion of which is to be located on the _____XXXXXXX
bank of said stream in the _____ NW _____ NE _____ 30
Twp. 91N Range 49W. Said water to be used for the purpose of providing irrigation on the fol-
lowing described land:SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19; NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, T91N, R49W_____ public recreation _____ purposes.
and for _____This application will be taken up by the State Water Resources Commission at their office at Pierre for
consideration upon the 15th September 66 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. Byron Helgerson, Publisher
Leader Courier
Elk Point, S.D.BUFTON F. JONES
Water Right Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Union } ss.

----- Byron Helgeson ----- being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the -----

----- The Leader Courier ----- 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 Elk Point ----- County of

Union ----- and State of South Dakota; that the said notice was published in said newspaper on the following dates:

----- Aug. 11, 1966 -----

----- Aug. 18, 1966 -----

----- Aug. 25, 1966 -----

----- Sept. 1, 1966 -----

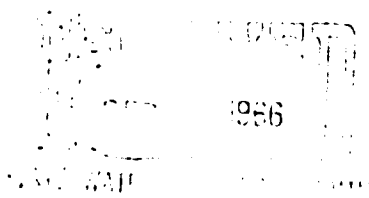
in each and every issue of the full number thereof, the first publication being made on the 11 day of Aug.

1966 and the last publication on the 1st day of

Sept. ----- 1966 -----, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication, he was ----- editor ----- the printer ----- and publisher ----- of the said newspaper.

Byron Helgeson

Subscribed and sworn to before me this 2nd day of September ----- A. D. 1966



Notary Public Union ----- County, S. D.

Edith Helgeson

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., August 5, 1966.

Notice is hereby given that the Recreation Development Association, Inc., whose postoffice address is Elk Point, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.45 cubic feet of water per second of time from ground water through the Golf course well, the point of diversion of which is to be located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30 Twp. 91N Range 49W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19; NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, T91N, R49W and for public recreation purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of September, 1966, 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: BURTON F. JONES

Water Right Specialist
 (Pub. Aug. 11, 18, 25, Sept. 1)

Permit No. 1294-3Water Division 3 Sicux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by the Recreation Develop-
ment, Ass'n, Inc. of Elk Point, South Dakota holder _____
of Permit No. 1294-3, bearing date of priority of July 5, 1966
authorizing the diversion of 1.45 cu. ft. per second of the waters of ground water
for irrigation purposes, in Union County.

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

The Water Use System consists of,

A. Works used to divert the water:

Well, 120 ft. deep, -24 inch casing-static level 15 feet-
bowl setting 50 foot.Fairbanks Morse pomona pump Mod HCC100
U.S. Electrical Motor, 40 H.P. - Type RU

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

Buried 4 inch diameter transite pipe - Approximately 2000 feet.

C. Works used to apply water to beneficial use.

Approximately 80 sprinklers (10 to 50 gpm capacity)

The system is in the following condition: ExcellentThe point of diversion is located S 285 feet and W 70 feet from the N $\frac{1}{4}$ Corner
of Section 30, Township 91N, Range 49WThe works are capable of diverting and conveying to the place of use 1.34cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: all in T91N, R49WSection 19, Lot A SW $\frac{1}{4}$ SE $\frac{1}{4}$ 22 acresNE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30 40 acresNW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30 40 acrescomprising a total of 102 acres of land.Date 10/1/70Donald Driscoll
(Signature)Donald Driscoll
Deputy Chief Engineer

RECREATION DEVELOPMENT ASSOCIATION

The following described tract of real property comprising approximately 24.3 acres: Commencing at the Southwest corner of the Southeast Quarter (SE1/4) of Section Nineteen (19), Township Ninety-one (91) North, Range Forty-nine (49), thence South 89 degrees 30 minutes East along the South line of Section Nineteen (19), 18 chains and 65 links, thence North 30 minutes East 8 chains and 30 links, thence North 63 degrees West approximately 20 chains and 85 links to the West line of said Southeast Quarter (SE1/4) of said Section Nineteen (19), thence South along said line 17 chains and 76 links to the place of beginning, Less Lot H-2 of the W 1/2 of SE 1/4 of Section 19, Township 91 North, Range 49, West of the 5th P.M., Union County, South Dakota, as shown by plat made by S.W. Gentle, Registered Land Surveyer, under date July 20, 1964; and filed in the office of the Register of Deeds, Union County, South Dakota; said Lot H-2 contains 2.43 acres, more or less; and commencing at the Southeast corner of the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section Nineteen (19), Township Ninety-one, (91), North, Range Forty-nine (49), thence North 7.89 chains to the center of Wagon Road, thence North 65 degrees and 0 minutes West 1.36 chains, thence South 8.44 chains to the Section line, thence East approximately 1.23 chains to the place of beginning, containing 1 acre; and the Northeast Quarter of the Northwest Quarter (NE 1/4 NW1/4), and the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section Thirty (30), Township Ninety-one (91) North, Range Forty-nine (49), West of the 5th P.M., all in Union County, South Dakota.

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3161

February 8, 1989

JOHN MURPHY
RECREATION DEVELOPMENT ASSOC
PO BOX 777
ELK POINT, SD 57025

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1294-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

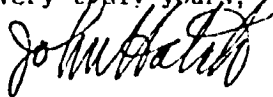
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 1294-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,



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

March 6, 1989

1294-3

Pat Hoffman, Sec-Treas.
Recreation & Development Assoc.
PO Box 777
Elk Point, SD 57025

Dear Ms. Hoffman:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 1294-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3355.

Very truly yours,

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

JOHN HATCH, Chief Engineer
Water Rights Division



1294-3

**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: RECREATION DEVELOPMENT ASSOC, GENE KJOSE, PO BOX 11, ELK POINT, SD
57025 0011

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) 1294-3. 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) 1294-3 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/eforms/secure/eforms/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.

1294-3

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Status: **Delivered**

Your item was delivered at 3:35 PM on January 29, 2007 in ELK POINT, SD 57025. The item was signed for by E KJOSE.

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United States Postal Service™ Signature Confirmation™ Receipt	
SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0799 6859	RECREATION DEVELOPMENT ASSOC GENE KJOSE PO BOX 11 ELK POINT SD 57025 0011
	Waiver of Signature ☐ YES ☐ NO
	Postmark Here
	POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access Internet web site at www.usps.com ® or call 1-800-222-1811
CHECK ONE (USPS USE ONLY)	
☐ Priority Mail™ Service	
☐ First-Class Mail® parcel	
☐ Package Services parcel	
PS Form 3839, May 2002 (PSN 7530-02-000-9000)	



**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 13, 2007

1294-3

Gene Kjose
Recreation Development Association
402 E Lincoln
Elk Point SD 57025

Dear Mr. Kjose:

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. 1294-3.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 5, 2008

1294-3

Gene Kjose
Recreation Development Association
402 E Lincoln St
Elk Point SD 57025

Dear Mr. Kjose:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire for Water Right No. 1294-3.

In reference to your inquiry concerning the method to calculate water usage, you certainly can use the hour meter on your electric motor. All we are really after is the total amount of water used from a specific source. The back side of the form that lists the days, hours, pump rate etc is more of a worksheet to help people arrive at how much water was used.

Next year, you can jot down the number of acres irrigated, the pump rate and the total hours the system ran. Enter this information in the comment section and submit the form. You will have fulfilled the reporting requirement with only those items.

Hopefully I have answered your question. If I can answer anything further, 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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

October 4, 2024

1294-3

The Point Golf Course
100 Truman Lane
Elk Pointe SD 57025

To whom it may concern:

The Water Rights Program is in receipt of a well completion report for a new irrigation well recently completed to a depth of 105 feet, located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, T91N, R49W, Union County, South Dakota (copy enclosed).

Water Right No. 1294-3, currently held by Recreation Development Association Inc., authorizes the appropriation of 1.34 cfs (600 gpm) for the irrigation of 102 acres located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, and NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30; all in T91N-R49W, from a single well completed into the Missouri: Elk Point Aquifer (copy enclosed).

Description of the acres authorized for irrigation by Water Right No. 1294-3 closely match the acreage on which the golf course sits (see enclosed aerial image).

With this letter I hope to determine whether ownership of Water Right No. 1294-3 should be transferred, whether this new well was drilled with the intent of being used as an additional diversion point, a backup well, a replacement well, or an entirely new permit. Additionally, if this well was drilled in accordance with Water Right No. 1294-3, I would also like to confirm that the addition of this well does not increase the diversion rate of either Water Right beyond what is permitted.

Please review the provided information and respond at your earliest convenience, via email or calling me at (605) 910-5187.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

2024

Location <u>NE 1/4 NW 1/4 Sec 30 Twp 91N Rg 48-49W</u>		Well Owner: <u>The Pointe Golf Course</u>	
County <u>Union</u> 42.6782, -96.6754 North		Business Name: <u>The Pointe Golf Course</u>	
GPS Coordinates		Address: <u>100 Truman Ln.</u>	
Lat: <u>N42° 40' 41.21"</u>		City, State, Zip: <u>Elk Point, SD 57025</u>	
Lon: <u>W96° 40' 31.31"</u>			
Please mark well location with an "X" on section grid			
Well Completion Date <u>9/19/2024</u>			
Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.) <u>400</u> ft. from <u>City Sewer main</u> (identify source)			
PROPOSED USE:			
☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Monitoring Well			
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Test Hole			
☐ Dewatering Well ☐ Geothermal ☐ Other _____			
METHOD OF DRILLING: <u>Per Rotary</u>			
CASING DATA: ☐ Steel ☒ Plastic ☐ Other			
If other describe _____			
PIPEWEIGHT	DIAMETER	FROM	TO
<u>160</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>100</u> FT
_____	_____	_____	_____
_____	_____	_____	_____
GROUTING DATA:			
Grout Type	No. of Sacks	Grout Weight	From To
<u>Cement</u>	<u>70</u>	<u>0</u> Lb/gal	<u>25</u> Ft
Describe grouting procedure			
<u>Pumped down w/ Pressure Grouter</u>			
SCREEN: ☐ Perforated pipe ☒ Manufactured			
Diameter	<u>16</u> Inches	Length	<u>40</u> Feet
Material	<u>PVC</u>		
Slot Size	<u>.050</u>	Set From	<u>100</u> Feet to <u>100</u> Feet
Other information _____			
WAS A PACKER OR SEAL USED? ☐ Yes ☒ No			
If so, what material? _____			
Describe packer(s) and location _____			
DISINFECTION: Was well disinfected upon completion?			
☒ Yes, How? <u>Chlorine</u>			
☐ No, Why Not? _____			
Lab sample sent to for water quality analysis _____			
WELL LOG:			
FORMATION		DEPTH	
	FROM	TO	
<u>Top Soil</u>	<u>0</u>	<u>2</u>	
<u>Brown clay + Sand</u>	<u>2</u>	<u>5</u>	
<u>Fine Sand + Gravel</u>	<u>5</u>	<u>25</u>	
<u>Blue Clay + 50% gravel</u>	<u>25</u>	<u>40</u>	
<u>Blue Clay</u>	<u>40</u>	<u>65</u>	
<u>Gravel + Rocks</u>	<u>65</u>	<u>86</u>	
<u>Coarse Green Sand</u>	<u>86</u>	<u>99</u>	
<u>Coarse Gravel + Rocks</u>	<u>99</u>	<u>105</u>	
STATIC WATER LEVEL <u>19'</u> FEET			
If flowing: closed in pressure _____ PSI			
GPM flow _____ through _____ Inch pipe			
Controlled by ☐ Valve ☐ Reducers ☐ Other _____			
Reduced flow rate _____ GPM			
Can well be completely shut in? _____			
WELL TEST DATA:			
☐ Pumped Describe: _____			
☐ Bailed ☐ Air			
☐ Other _____			
Pumping Level Below Land Surface			
<u>45</u> Ft. After <u>1</u> Hrs. pumped	<u>850</u> GPM		
_____ Ft. After _____ Hrs. pumped	_____ GPM		
If pump installed, pump rate: <u>550</u> GPM			
REMARKS			
This well was drilled under license # <u>444</u>			
And this report is true and accurate.			
Drilling firm: <u>Christensen Well & Irrigation</u>			
Signature of License Representative: <u>Carly Christensen</u>			
Signature of Well Owner or Equitable Property Holder: _____			
Date: <u>10/3/24</u>			

Please return White Copy to DANR Water Rights 523 E. Capitol Ave., Pierre SD 57501

RECEIVED

OCT 04 2024

OFFICE OF
WATER

1294-3

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED
MAY 11 2025
Water Rights
Program

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

Water Right/Permit No. 1294-3

Date: _____

I/We request that Water Right/Permit No. 1294-3 formerly owned by:
Recreation Development Assoc Inc be transferred to:

New Owner Name: The Pointe Golf & Events Center
Address: 100 Truman Lane mobile: 605 670 1477
City, State, Zip Elk Point, SD 57025 email: dave-nelson@live.com

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

~102 ac Sec 19 + 30; T91N-R49W

-original well failed - new well drilled in 2024

☒ I understand that the validity of Water Right/Permit No. 1294-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Dave Nelson, the new owner, certify that the above information is true and correct.

Dave Nelson

(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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.

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: The Pointe Golf & Events Center, 100 Truman Lane, Elk Point, SD 57025 – Dave Nelson

DATE: 03/17/2025

RE: Ownership/New well

COMMENTS:

Dave Nelson stopped into the office the morning of Monday, March 17, 2025, with the “new well” and “ownership” letter sent to the Golf Course in October 2024.

He confirmed that the new well that was drilled was done so to replace the old well that had recently failed. The new well is located in the same approximate location as the old one and no new acres are being irrigated. Mr. Nelson understood the irrigation of the golf course needed to be limited to 2 ac-ft (24 inches) of water per irrigated acre.

Ownership of WR No. 1294-3 will need to be transferred from the Recreation Development Assoc. Inc, to The Point Golf Course & Events Center. No additional action needed.



Amanda Dewell
Water Rights Program

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date March 17th, 2025

RECEIVED OF The Pointe Golf & Events Center 100 Truman Lane Elk Point SD 57025

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 <u>1294-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	<u>\$50.00</u>

By

Mark Mankin
Chief Engineer