

2711-3

1. Considered MAY 20, 1976
2. Name of Applicant MILBANK COUNTRY CLUB
3. Post Office Address MILBANK
4. Amount of water claimed .57
5. Source of water supply RUNOFF (40 AC. FT. STORAGE)
6. Water to be used for IRRIGATION
Acres to be irrigated 40
7. Water to be diverted and used in GRANT county
about 2N, 1E miles _____ of MILBANK
8. Proof of Publication Received 5-14-76
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2711-3Map No. 2073-3 Water Division No. 3 WHETSTONE CREEK (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 MILBANK COUNTRY CLUB
 Postoffice address MILBANK, S.D. State S.D.
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) DIRECT LABOR
3. Name of diversion work DIVERSION DAM
4. Amount of water claimed (cubic feet per second) 51000 CFS
5. Source of water supply TRIBUT. SOUTH Fork of WHETSTONE CREEK
6. Location of point of diversion NE 1/4 NW 1/4 25-121-48

- County _____
7. Annual period or periods during which water is to be used APRIL 15 - OCT 15
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION
9. For irrigation use _____ Total number of acres to be irrigated 40

List below each 50 acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>NE 1/4 NW 1/4 25-121-48</u>	<u>40</u>		
<u>1/2 S 2 NW 1/4</u>			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication GRANT COUNTY REVIEW
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

DIVERSION DAM

B. Works proposed to transport water to place of use.

IRRIGATION PIPELINE

C. Works proposed to apply water to beneficial use.

SPRINKLERSEstimated Total Cost \$ 35,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of GRANT

I, LESTER DALLINGER the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein, stated are true and that I intend, and am able to complete the necessary construction.

Signed X. H. H. AllenSubscribed and sworn to before me this 26 day of April 19 76

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2711-3
MILBANK COUNTRY CLUB MILBANK
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57252 With the following modifications:
 (State)

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE,
 INCLUDING LIVESTOCK WATERING, MUST BE BY-PASSED.

Date of first receipt of application APRIL 29 19 76
 Date of return to applicant for correction, amendments or changes required 19
 Date of receipt of corrected application 19
 Approved MAY 20, 19 76, Recorded in Book 15 Page 155

WATER RIGHT PERMIT NO. 2711-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2711-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 29 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 20 19 76
3. The whole of said work is to be completed on or before MAY 20 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 20 19 78
5. The water appropriated shall be used for the purpose of IRRIGATION

6. 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.

7. The amount of the appropriation herein granted shall not exceed .57 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 MAY 20 19 78; said water to be used during the following described annual period: APRIL 15 TO OCTOBER 15

Witness my hand this 8TH day of JUNE 19 76

WATER RIGHTS COMMISSION

By:

John H. Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 3 19 79

Water License Issued APRIL 3 19 79

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____ Diameter _____ Thickness _____
(Wood, concrete, steel, etc.)
- (3) Perforated Screen.
Type _____, Diameter _____, Length _____
- (4) Gravel Pack Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property _____ rds. On property owned by others _____ rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

DIVERSION DAM IS TO BE CONSTRUCTED TO
DIVERT WATER THROUGH A CONSTRUCTED CHANNEL
INTO BE A NATURAL STORAGE AREA. (SMALL LAKE)

DIVERSION DAM - 5' HEIGHT
4' MAX WATER DEPTH
0.3 AC. SURFACE AREA
1 AC-FT - STORAGE

LAKE - 5' AVE DEPTH
7.8 AC. SURFACE AREA
40 AC-FT TOTAL STORAGE

X H.R. Anderson
Signature of Applicant

Form 15.

Permit No. 2711-3

Water Diversion No. 3 Whetstone Creek Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Milbank Country Club

the holder of

Permit No. 2711-3, issued upon Application No. 2711-3, bearing date of priority of

April 29, 1976 authorizing the diversion of .57 cu. ft. per second of the waters of a tributary
of the N. Fork Whetstone Creek County of Grant, State of South Dakota at a
point 2500'E and 700'S of the NW Corner, Section 25, T121N, R48W

for irrigation

purposes, has S 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 1.02 cu. ft. per second of water.

Date April 3, 1979

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Commission

WATER LICENSE NO. 2711-3

(1) WHEREAS, On the 29th day of April A. D. 19 76

Milbark Country Club

made Water Right Application No. 2711-3 for a permit to use .57 cubic feet per second of the waters of a tributary of the N. Fork Whetstone Creek

County of Grant, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 8th day of June A. D. 19 76

Permit No. 2711-3, with a date of priority of April 29, 1976

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 20th day of May A. D. 19 77 and for the

application to beneficial use of said water on or before the 20th day of May A. D. 19 78

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 .57 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 40 acres of greens, fairways and tee boxes for a golf course located in portions of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T121N, R48W

(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 Milbank Country Club

_____ of Milbank

the holder _____ and owner _____ of said permit No. 2711-3 a water right, dating from April 29, 1976

_____ to use of .57 cubic feet per second of the waters

of a tributary of the N. Fork of Whetstone Creek

in the County of Grant and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point 2500' E and 700' S of the

NW Corner, Section 25, T121N, R48W

and conduct to and up in portions of the NW 1/4, Section 25, T121N, R48W, described

on the face of this License.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2711-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 3rd day of April A. D.

Nineteen Hundred and Seventy - nine

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer **JOHN HATCH**

Publish first publication, on or before May 5, 19 76NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 30, 19 76Notice is hereby given that Milbank Country Clubwhose post office address is Milbank, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use a tributary of Whetstone Creek
.57 cubic feet of water per second of time from thru through theCountry Club Diversion, the point of diversion of which is to be located in the _____NE 1/4 NW 1/4of Section 25, Twp. 121N, Range 48W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:NE 1/4 NW 1/4 and S 1/4 NW 1/4, Section 25, T121N, R48W

This application No. 2711-3 will be considered by the Water Rights Commission at their office at Pierre upon the 20th day of May, 19 76, at 1:00 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights SpecialistBFJ/bw
cc:

Milton E. Fischer, Box 307, Milbank, S.D. 57252

*Whetstone Creek
4-6
Bent*

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Grant) ss.

I, Clarence Justice hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Grant County Review

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 Milbank

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

May 5, 1976

May 12, 1976

Clarence Justice
(Signature)
Foreman
(Title)

May 12, 1976
(Date Signed)

NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
April 30, 1976
Notice is hereby given that
Milbank Country Club, whose
post office address is Milbank,
South Dakota, has made an ap-
plication in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use 57
cubic feet of water per second of
time from a tributary of Whet-
stone Creek through the Country
Club Diversion, the point of di-
version of which is to be located
in the NE 1/4 NW 1/4 of Section 25,
Twp. 121N, Range 48W. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
land: NE 1/4 NW 1/4 and S 1/4 NW 1/4,
Section 25, T121N, R48W.
This application No. 2711-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 20th day of
May, 1976, at 1:00 P.M. All
interested persons may appear
and be heard.

Water Rights Commission
By: Burton F. Jones
Water Rights Specialist

May 5

May 12



Form 10.

No. 2711-3

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE
DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT

DIVISION OF WATER RIGHTS

JOE FOSS BUILDING

PIERRE, SOUTH DAKOTA 57501

Post Office Melbank, S.D.

Date 7-15-76

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

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2711-3.

Water Right Permit No. 2711-3 states that the diversion system is to be constructed by 11-76, 1976 and that the water is to be put to beneficial use by 5-20-77 1976.

The diversion system was completed on 7-1, 1976. Applying the water to beneficial use was completed on 7-1, 1976.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Melbank Country Club
Lt. H. R. Dunnington, Sr.
(Signature)

Permit No. 2711-3Water Division 3 Whetstone Creek 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 Milbank
Country Club of Milbank, South Dakota - 57252 holder
of Permit No. 2711-3, bearing date of priority of April 29, 1976
authorizing the diversion of .57 cu. ft. per second of the waters of Tributary of N Fork of the
Whetstone Creek for Irrigation purposes, in Grant 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: Diversion dam, 5' High, 11 ft water, 0.3 surface
acres storing 1.0 ACF. Diverts into lake - 5 ft deep, 9.0 surface
Acres, storage 40 ACF. Pump at lake. Motor - Baldor, Stream
Cooled - 50 HP, Pump Carver Model 3x4x10H-203. Ser# 97754,
460 gpm, 275 Ht. Ft., 3500 RPM.
pumping 460 gpm.
- B. Works used to transport water to place of use,
Diversion ditch from diversion dam to pond.
Underground pipes to Greens, Tee Boxes and Fairways.
8- sprinklers
- C. Works used to apply water to beneficial use.
Rainbird sprinklers 3/8" dia Nozzles. 90 PSI.

The system is in the following condition: Good ConditionThe point of diversion is located 2500 ft East and 700 ft South of the NW
Corner of Section 25, T12N R48WThe works are capable of diverting and conveying to the place of use 1.02cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows:

40 Acres of Greens, Fairways and Tee Boxes for the
Golf Course Located in the NE 1/4 NW 1/4, SW 1/4 NW 1/4, and
SE 1/4 NW 1/4 all in Section 25, T12N R48W

comprising a total of 40 acres of land.

40 Ac - 70 Ac = .57 cfs
because 1.02 cfs

Date January 11, 1979
LeRoy J. Mernagh
(Signature)

RECEIPT
WATER RIGHTS COMMISSION
State of South Dakota

NO 4 6882

PIERRE, April 3, 1979

RECEIVED OF Milbank Country Club, Box 46, Milbank SD 57252

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 2711-3)	12 00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 2711-3)	
Fee for Issuing Location Certificate-Dry Draw, No.	
Fee for filing	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for	
(any other work as provided by law)	
TOTAL	12 00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH KJW

4-29-81

MIKE BUFAHL - 432-4169

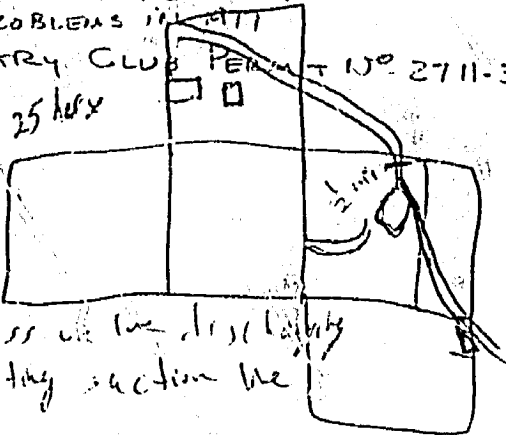
MILBANK -

COUNTRY CLUB HAS DONE A
DEEP DUGOUT & ARE IRRIGATING
THE GOLF COURSE. CLAIMS IT
IS INTERFERING WITH DOMESTIC
USE SUPPLIES - WANTS SOMEONE
TO STOP & VISIT WITH THEM AND/OR
GOLF COURSE PEOPLE. SAID THEY ALSO
HAD PROBLEMS IN THE
COUNTRY CLUB PERMIT NO 2711-3

4" 25 horse

4" 15'

by pass on the disjunctly
sluicing section we



22 ft. dugout in 76'

7' to 10' - dropped 3' in 1 week

came up creek

Melvin McCulloch

432-4131

the rock dam diverts the creek
into the dugout and when the
dugout is full it runs over
and floods his land rather
than going down the natural
creek bed

Talked to greenskeeper he claims
there is no gravel in the dugout, that
it is runoff fed. They trenched
it out in 1976 when it had dried up



trench to bank level
of 15' and put in
mid-sluic

4" pipe 25 horse
power meter, bypass
valve discharges into
pond 4.5 g.p.m.

Check : Problem with
City of ~~Mike Pufahl~~ Milbank
pumping into dam

Mike Pufahl

432-4169

Milbank Country Club

432-4124

Investigation indicates
that Pufahl is 3/4 of
a mile upstream from
the Milbank Diversion Dam
and is not being affected
by Milbank Country Club pumping
into slough.

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

March 23, 1987

MILBANK COUNTRY CLUB
PO BOX 46
MILBANK, SD 57252

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

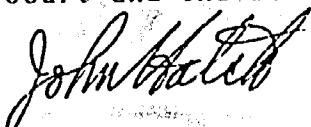
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 2711-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given 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). 2711-3 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.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 29, 1987

2711-3

Richard Whitlow, President
Milbank Country Club
PO Box 27
Milbank, SD 57252

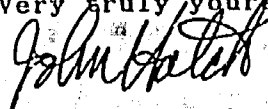
Dear Mr. Whitlow:

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. 2711-3 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,



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

February 8, 1989

RICHARD WHITLOW, PRESIDENT
MILBANK COUNTRY CLUB
PO BOX 46
MILBANK, SD 57252

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). 2711-3. 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). 2711-3 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



South Dakota Department of
Water & Natural Resources

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

February 23, 1989

2711-3

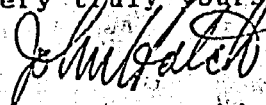
Richard Whitlow, President
Milbank Country Club
PO Box 46
Milbank, SD 57252

Dear Mr. Whitlow:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 2711-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division





January 27, 1992

MILBANK COUNTRY CLUB
PO BOX 46
MILBANK SD 572520046

2711-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit Nos 2711-3, 5518-3 and 1991 Irrigation
Questionnaire Requirements

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit Nos 2711-3, 5518-3. The request for the Questionnaires was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2711-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5518-3 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5518-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2711-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 1992

2711-3
5518-3

Q.
Milbank Country Club
PO Box 46
Milbank, SD 57252

Dear Sirs:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Right No. 2711-3 and Water Permit No. 5518-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division



2711-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

January 30, 1996

NOTICE

TO: MILBANK COUNTRY CLUB, R J SCHREINER, SUPT., PO BOX 46, MILBANK, SD
57252 0046

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

SUBJECT: Violation of Water Permit No(s) 5518-3, 2711-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 5518-3, 2711-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2711-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5518-3 qualification:

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

1. Suspend or cancel Permit No(s) 5518-3 in accordance with applicable provisions of SDCL 46-1-12;
 2. Amend Permit No(s) 2711-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
 3. Postpone any action or 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 questionnaires are received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



2711-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 1996

(2711-3)
5518-3

R J Schreiner, Supt
Milbank Country Club
PO Box 46
Milbank, SD 57252-0046

Dear Mr. Schreiner:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires. You may disregard the January 30, 1996, Notice of Violation of Water Permit and Violation of the Requirement to Submit the 1995 irrigation questionnaires.

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
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 21, 1996

2711-3
5518-3

Randy Patnoe
PO Box 589
Milbank, SD 57252-0589

Dear Mr. Patnoe:

Enclosed, as we discussed, are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change on Water Right No. 2711-3 and Water Permit No. 5518-3.

Please review the forms and make any necessary corrections. You will need to complete the portion marked "be transferred to: (name & address)". Upon completion, please sign the forms in the presence of a notary public and return them to our office with a required filing fee of \$2.50 each (\$5.00 total).

With regard to your inquiry concerning the irrigation questionnaire violations, I am also enclosing a copy of the letter I mailed to the country club dated February 12th. If you have any questions, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 2711-3

Date: 2-22-96

I/We request that Water Right No. 2711-3

formerly owned by: Milbank Country Club

be transferred to: (name & address) PINE HILLS GOLF CLUB P.O. BOX 46
MILBANK SD 57252
Telephone No. 605-432-4124

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

40 acres: NE 1/4 NW 1/4, S 1/2 NW 1/4 Section 25, T121N, R48W

I/We understand that the validity of Water Right No. 2711-3 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 GRANT)

I/We RANDY PATNOE 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.

[Signature]
(Signed)

Subscribed and sworn to before me this 22nd day of Feb, 19 96.

DARRELL D. MALCOLMSON
Notary Public, Grant County, S. Dak.
My Commission Expires Apr. 13, 1997

[Signature]
(Notary Public)

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

Division of Water Rights

South Dakota Department of Environment and Natural Resources

414814

Pierre, February 23, 19 96

RECEIVED OF Pine Hills Golf Club, P.O. Box 46, Milbank, SD 57252

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>Water Right No. 2711-5</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch (CF)
Chief Engineer



2711-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

March 4, 1996

Nos. 2711-3
5518-3

Randy Patnoe
Pine Hills Golf Club
P.O. Box 46
Milbank, SD 57252

Dear Mr. Patnoe:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos 2711-3 and 5518-3.

Our records now show Pine Hills Golf Club as the owner of Water Right Nos. 2711-3 and 5518-3.

Sincerely,

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

enclosure



2711-3

February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181**NOTICE**

TO: PINE HILLS GOLF CLUB, RANDY PATNOE, PO BOX 46, MILBANK, SD 57252 0046

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

SUBJECT: Violation of Water Permit No(s) 5518-3, 2711-3 and 1996 Irrigation Questionnaire Requirements

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 5518-3, 2711-3. The request for the Questionnaires was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2711-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5518-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5518-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2711-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before February 28, 1997, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

2711-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 19, 1997

2711-3
5518-3

Randy Patnoe
Pine Hills Golf Club
PO Box 46
Milbank, SD 57252-0046

Dear Mr. Patnoe:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, Notice of Violation.

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

Thank you and if you have any questions, please contact me.

Sincerely,

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



2711-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501 3181
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: PINE HILLS GOLF CLUB, RANDY PATNOE, PO BOX 46, MILBANK, SD 57252 0046

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 5518-3, 2711-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2711-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5518-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5518-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2711-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



2711-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 22, 2000

2711-3
5518-3

Randy Patnoe
Pine Hills Golf Club
PO Box 46
Milbank, SD 57252-0046

Dear Mr. Patnoe:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 2711-3 and 5518-3.

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



January 16, 2002

NOTICE

2711-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: PINE HILLS GOLF CLUB, RANDY PATNOE, PO BOX 46, MILBANK, SD 57252 0046
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 5518-3, 2711-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2711-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5518-3 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5518-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2711-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

2711-3

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

PINE HILLS GOLF CLUB
 RANDY PATNOE
 PO BOX 46
 MILBANK SD 57252 0046

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

Randy Patnoe

B. Date of Delivery

1-18-02

C. Signature

X [Signature]

☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☒ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Registered☐ Insured Mail☐ Express Mail☐ Return Receipt for Merchandise☐ Signature Required

4. Restricted Delivery? (Extra Fee)

☐ Yes

7001 2510 0004 4797 5668

PS Form 3811, July 1999

Domestic Return Receipt

102595-99 M-1789



2711-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 4, 2002

2711-3
5518-3

Randy Patnoe
Pine Hills Golf Club
PO Box 46
Milbank SD 57252-0046

Dear Mr. Patnoe:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2711-3 and 5518-3.

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



2711-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: PINE HILLS GOLF CLUB, RANDY PATNOE, PO BOX 46, MILBANK, SD 57252 0046
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 5518-3, 2711-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2711-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5518-3 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5518-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2711-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 27, 2003

2711-3

5518-3

Randy Patnoe
Pine Hills Golf Club
PO Box 46
Milbank SD 57252-0046

Dear Mr. Patnoe:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 2711-3 and Water Permit No. 5518-3.

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



January 14, 2004

2711-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: PINE HILLS GOLF CLUB, RANDY PATNOE, PO BOX 46, MILBANK, SD 57252 0046

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 5518-3, 2711-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2711-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5518-3 qualification:

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

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

1. Suspend or cancel Permit No(s) 5518-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2711-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before **February 27, 2004**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



2711-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 7964

Your item was delivered at 2:07 pm on January 15, 2004 in MILBANK, SD 57252. The item was signed for by R PATNOE.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)



POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)

Copyright © 1999-2002 USPS. All Rights Reserved. Terms of Use Privacy Policy

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 7964

PINE HILLS GOLF CLUB
RANDY PATNOE
PO BOX 46
MILBANK SD 57252 0046

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 (POSTAL USE ONLY)

☐ Priority Mail®
☐ Package Services

PS Form 153, July 2001

(See Reverse)



2711-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 26, 2004

2711-3
5518-3

Randy Patnoe
Pine Hills Golf Club
PO Box 46
Milbank SD 57252-0046

Dear Mr. Patnoe:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 2711-3 and Water Permit No. 5518-3.

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

Milbank County Club



Map No. 2018-3 APPL No. 2711-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 14, 2005

2711-3

Randy Patnoe
Pine Hills Golf Club
PO Box 46
Milbank SD 56252-0046

Dear Mr. Patnoe:

On November 3rd, we received a fax copy of the 2005 irrigation questionnaire from you for the Pine Hills Golf Club. As you can see by the copy enclosed, it didn't come through in a legible manner.

If you would, please make a copy of the form you completed and send it to us regular mail or you can copy the information into the new form enclosed. You can also try and fax the form again, this time it may work.

I have been trying to reach you by phone but have been unsuccessful so I decided to go ahead and send you a form by regular mail. Thank you in advance for your help.

Sincerely,

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

enclosures

Nathan Bass
Whetstone Creek Golf Course
14626 SD Highway 15
PO Box 321
Milbank, SD 57252
5/13/2019

PMB 2020
DENR – Water Rights Program
523 E Capital Ave
Pierre, SD 57501-3182

To whom it may concern:

Please find enclosed the "Notice of Transfer of Ownership" form for Water Rights Permit number 2711-3. As the form states, the ownership is being transferred from Pine Hills Golf Club to the newly formed Whetstone Creek Golf Course.

Also included is a check for the \$50.00 filing fee as required.

If you have any questions, or need more information please feel free to reach out to me by phone at 605-467-3314 (cell phone) or by email at nbass@vqcheese.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Nathan Bass", with a stylized, cursive script.

Nathan Bass
Board Member
Whetstone Creek Golf Course

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

MAY 16 2019

Ck# 003027

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

MAY 16 2019

WATER RIGHTS
PROGRAM

Water Right/Permit No. 2711-3

Date: May 13, 2019

I/We request that Water Right/Permit No. 2711-3 formerly owned by:

Pine Hills Golf Club

be transferred to:

New Owner Name: Whetstone Creek Golf Course

Address: PO Box 321

City, State, Zip Milbank SD 57252 Telephone No. 605-432-4124

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

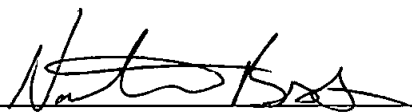
NE1/4 NW1/4, S1/2 NW1/4 of Section 25, Township 121 North, Range 48 West

☒ I understand that the validity of Water Right/Permit No. 2711-3 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, Nathan Bass, the new owner, certify that the above information is true and correct.


(signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date MAY 16

2019

RECEIVED OF **WHETSTONE CREEK GOLF COURSE PO BOX 321 MILBANK SD 57252**

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ 2711-3		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. 09146

By *Jeanne Goodman*
Chief Engineer
27m



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 17, 2019

2711-3

Nathan Bass
Whetstone Creek Golf Course
PO Box 321
Milbank SD 57252-0321

Dear Mr. Bass:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 2711-3.

The ownership change has been completed. Water Right No. 2711-3 formerly held by Pine Hills Golf Club is now listed under Whetstone Creek Golf Course.

Enclosed for your records is Receipt No. 09146 in the amount of \$50 which was paid for filing the ownership change. If I can answer any questions for you, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352

encl