

Considered: _____

WATER PERMIT NO. 5150-3 ¹⁷

MAP No. same

Name of Applicant Valley View Country Club, Inc.

Post Office Address Box 228, Sisseton SD 57262

Amount of Water Claimed 0.44 cfs Total Acres 31 ac.

Source of Water Supply spring

Water to be used for irrigation County Roberts

About 3 1/2 miles W of Sisseton.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received May 18, 1987 Fee \$150.00 Remarks _____

Corrected Application Received June 29, 1987 Period of Annual Use Apr 1 - Oct 1

WATER QUALITY APPROVAL RECEIVED Sept. 16, 1987 APPROVED/CONDITIONAL (Circle one)

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

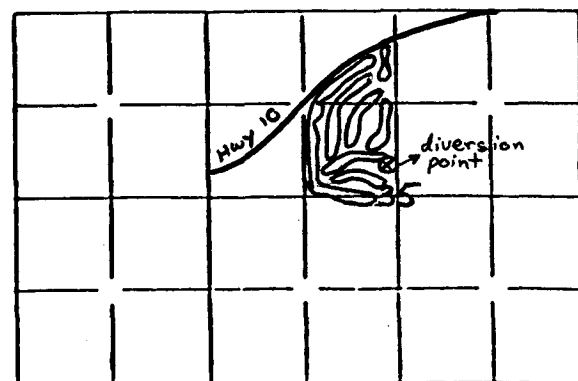
Diversion Point spring: SE 1/4 NW 1/4 section 35 -

T126N-R52W

Land to be Irrigated SE 1/4 NW 1/4 (20 ac), NE 1/4 NW 1/4

(10 ac), NE 1/4 SW 1/4 (1.0 ac) section 35 -

T126N-R52W



Well Log: Driller NA Licensed YES _____ NO _____

Depth of Well ^{spring} 22 feet REMARKS _____

Type of Map aerial photo PREPARED BY June Helgeson Reviewed and the Number

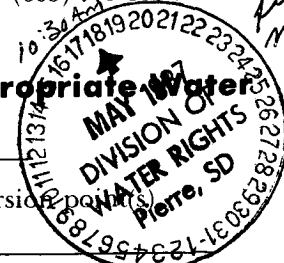
assigned on September 17, 1987 By Ron Duvall

(See instructions)

No. 5150-3 Hydrologic Unit 07020001
Basin Minnesota - Whetstone
Newspaper Sisseton Courier, Box 169 (Thurs)

Application For Soil/Water Compatibility Permit and Permit To Appropriately Use Water

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



- Name of Applicant Valley View Country Club, Inc. Phone No. 698-3742
Post Office Address Sisseton State SD 57262
(Street, RR or Box) (City) Zip Code
Amount of water claimed (c.f.s.) 0.44 cfs Total acres irrigated 31 acres
Source of Water supply spring fed reservoir
Location of point of diversion east edge of SE 1/4 NW 1/4 of Section 35, Township 126
North, Range 52 West of the 5th P.M., Roberts County, South Dakota.
County Roberts
Counties where water will be used Roberts
Annual period during which water is to be used approximately April 1 to October 1
List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
SE 1/4 NW 1/4 35-126-52	20
That part of NE 1/4 NW 1/4	
35-126-52, S. of SD	
Hwy. #10	10

Land Description	No. Acres Irr.
NE 1/4 SW 1/4 35-126-52	1.0

Attach sheet if more space is needed

- Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ (Specify) X
Grass various sprinkler heads around greens, tee boxes and on fairways.
- Crops to be Irrigated: _____
- Give a description of proposed project. (Attach sheet if more space is needed)
Golf course watering system for 9 hole golf course - grass greens of bent grass requiring daily watering and tee boxes and fairways watered to supplement natural water supply.

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

STATE OF SOUTH DAKOTA)
County of Roberts)^{ss}

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

Signed Roger Pearson

Subscribed and sworn to before me this 15 day of May 19 87

Cecille Tull
Notary Public

My Commission Expires: 9/17/88

IRRIGATION WATER PERMIT APPROVAL

The Water Management Board hereby approves Water Permit Application No. 5150-3

to irrigate 31 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ from a spring located in
(legal description of land)
the SE $\frac{1}{4}$ NW $\frac{1}{4}$; all in section 35-T126N-R52W

_____ for
(diversion point, source, depth of well, etc.)

Valley View Country Club, Inc. Box 228
(Applicant) (Street, RR or Box)
Sisseton SD 57262 With the following qualifications.
(City) (State) (Zip Code)

1. The source of water for Permit No. 5150-3, Valley View Country Club, Inc. is also the source of water for the Western Water Line Users waterline which has a prior water right. The Country Club shall control its withdrawals so that there is not a reduction of the water supply for the Western Water Line Users waterline.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application May 18, 1987.

Date Soil/Water Compatibility Permit received September 16, 1987.

Date of return to applicant for correction, amendments or changes required May 20, 1987.

Date of receipt of corrected application June 26, 1987. Approved December 2, 1987.

The Water Management Board approved this Water Permit No. 5150-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is September 16, 1987.
2. One-fifth of the work is ~~to be~~ completed ~~on or before~~ _____, ~~19~~_____.
3. The whole of said work is ~~to be~~ completed ~~on or before~~ _____, ~~19~~_____.
4. The time limit for proof of beneficial use of water is _____, ~~19~~_____.
5. 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 unlawfully impaired by this appropriation.
6. The amount of the appropriation herein granted shall not exceed 0.44 cubic feet per second; neither shall it exceed 2 acre feet per acre per year or 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~~ _____, ~~19~~_____. The water is to be used during the following described annual period: Apr 1 - Oct 1, 19____.

WATER MANAGEMENT BOARD

By: John H. Hatch
Chief Engineer

Division of Water Rights
 Dept. of Water and Natural Resources

FEB 9 1988

_____, 19____

Supplemental Information

(type or print in ink)

Spring fed reservoir

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth 22'
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) 6 feet
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

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

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

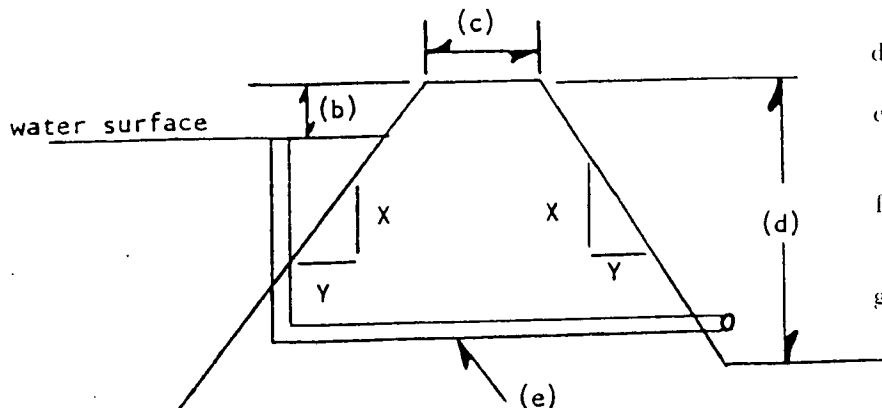
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



VALLEY VIEW COUNTRY CLUB, INC.

X Roger Pearson, President
Signature of Applicant

Affidavit of Water Use

No. _____

(Type or Print in Ink)

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

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

Name of Applicant (Same as Form 2) Valley View Country Club, Inc.

Post Office Address Sisseton SD 57262
(Street, RR or Box) (State) (Zip Code)

- A. Notice of Appropriation 1966 Date of Posting 1966
p.m. Roberts County
Date of recording July 22, 1966 - 2:05 / Recording date Reg. of Deeds M-31 187-189
Where Book Page Misc.
B. Date of start of construction of water supply system Fall of 1966
C. Date that water was first applied to beneficial use 1966
D. Name of owner of original water supply system City of Sisseton

E. Amount of water originally applied to beneficial use All for use of City of Sisseton, but reservoir abandoned by City when new source of water found east of Sisseton.

F. Present Use of Water - Amount of water now being used Irrigation of golf course and domestic use on old abandoned water line, amount of water used by golf course
Date that this water was first used By golf course - 1966. 200 gal.
per minute

- G. Chronological History of Water Use
1916 was the initial year that the City of Sisseton used it for water - they used it until 1949. After this period of time, new housing that was constructed added onto the existing line. In 1966 Valley View Country Club obtained FmHA financing to construct grass greens on its existing 9 hole golf course located on land owned by the City of Sisseton (SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35 lying south of South Dakota Highway #10, Township 126 North of Range 52 West of the 5th P.M., in Roberts County, South Dakota). *See Attached Sheet

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

State of South Dakota)
County of Roberts) ss

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

Signed Roger Pearson
Subscribed and sworn to before me May 15, 1987
Cassette Suel
Notary Public or other qualified officer

I, the undersigned do hereby certify that I know about the water use system described above, that I have read the foregoing, and that the matters therein stated are true.
My Commission Expires: 9/17/88

ROGER W. PEARSON 5-15 1987
(Print name)

19_____
(Print name)

FORM 2B.

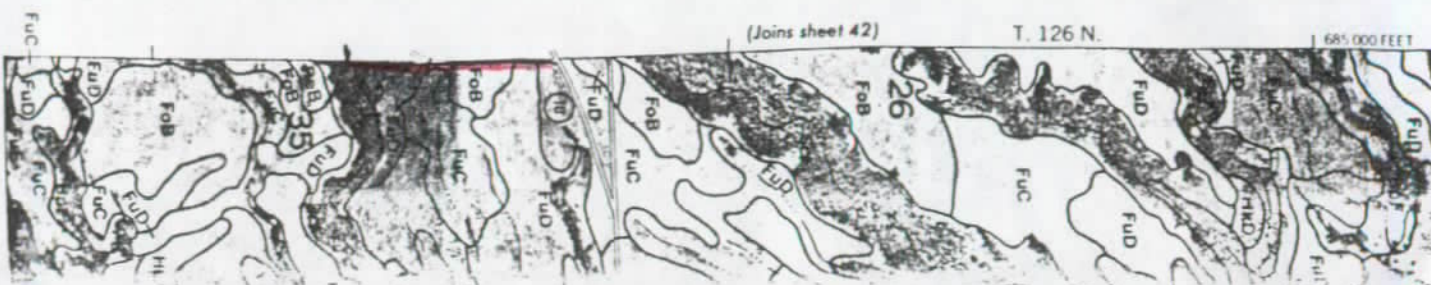
Continued.

- G. We borrowed \$40,000.00 for this project over a 40 year period and were required to furnish to FmHA a long term lease and easement from the City of Sisseton (copies attached). Also required was a water irrigation permit from the State. All this was furnished to FmHA and application was approved and the loan was made. Irrigation from the City owned spring fed reservoir has continued each year as needed since.

Roberts County Soil Maps

From Pages 43

43 OF



NOT TO SCALE



EASEMENT

This indenture made and entered into the 1st day of June, 1966, by and between the City of Sisseton, Roberts County, South Dakota, hereinafter referred to as the party of the first party, and the Valley View Country Club, Inc. of Sisseton, South Dakota, hereinafter referred to as the party of the second part.

WITNESSETH, that for and in consideration of the sum of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, the party of the first party has this day bargained and sold, and by these presents does bargain, sell, convey, transfer and deliver unto the party of the second part, an easement and right of way until May, 31, 2026, with a right of renewal for an additional period of time of not less than sixty years, for the purpose of constructing, maintaining and repairing underground pipelines as second party may require, for the purpose of conveying water over, across, through and under the lands hereinafter described, together with the right to construct and maintain a pump and pump house and draw water from a spring fed reservoir owned by the party of the first part and located on the east edge of the SE1/4 of Sec. 35, Township 126, Range 52.

The land affected by the grant of this easement and right of way is located in the County of Roberts and State of South Dakota and is more particularly described as the SE1/4 of Sec. 35, Township 126, Range 52, which is presently owned by the party of the first part and which is subject to ~~the party of the second part~~ until May 31, 2026, with a right of renewal by second party.

*Make Application
under 61.0403
Letter or Form
955 SL 521*

That the water right herein granted to the party of the second part is for the purpose of irrigating grass greens on the golf course operated by the second party located upon the above described property and other land owned by second party and described as 13.75 acres more or less in the NE1/4 of Sec. 35, Township 126 North, Range 52 as described in Book 56 of Deeds at page 123 as recorded in the office of the Register of Deeds of Roberts County, South Dakota, on the 15 day of August, 1960 at 11:15 A. M.

It is further understood and agreed by and between the parties hereto that the said second party is solely responsible for the repair and maintenance, drainage and operation of said pipe line from the reservoir to the above described property, and that said second party may, as they so desire, control the placement, replacement and construction of the pipe line, pump and pump house, with full rights of ingress and egress to said reservoir.

That said easement and right of way as herein granted shall be binding upon the parties hereto and to their successors and assigns.

IN WITNESS WHEREOF the said parties have hereunto set their hands and seal the day first above written.

the CITY OF SISSETON, SOUTH DAKOTA

by: _____
Mayor

by: _____
AUDITOR
VALLEY VIEW COUNTRY CLUB, INC.

by: _____
President

by: _____
Secretary

STATE OF SOUTH DAKOTA)
)SS.
COUNTY OF ROBERTS)

On this 1st day of June, 1966, before me, Wallace R. Brantseg, a Notary Public, the undersigned officer, personally appeared Marvin Mackner who acknowledged himself to be the Mayor of the City of Sisseton, South Dakota, a municipal corporation, and Peter Johnson, who acknowledged himself to be the Auditor of the City of Sisseton, South Dakota a municipal corporation, and P. A. Setnes, who acknowledged himself to be the President of the Valley View Country Club, Inc., and Oscar Bergerson, who acknowledged himself to be the Secretary of the Valley View Country Club, Inc., and that they, in their respective capacities, being authorized so to do, executed the foregoing instruments for the purposes therein contained by signing the names of the City of Sisseton by themselves as Mayor and Auditor respectively, and the Valley View Country Club, Inc. by themselves as President and Secretary respectively.

In witness whereof, I hereunto set my hand and official seal.

Wallace R. Brantseg-Notary Public
Roberts County, South Dakota
My Commission Expires: 10/15/66

(SEAL)

LEASE

THIS INDENTURE, made this 1st day of June, 1966, by and between the City of Sisseton, Roberts County, South Dakota, party of the first part, lessor, and The Valley View Country Club, Inc. party of the second part, lessee.

WITNESSETH, That the said party of the first part, in consideration of the rents and covenants hereafter mentioned does hereby Demise, Lease and Let unto the said party of the second part, and the said party of the second part does hereby hire and take from the said party of the first part, the following described premises, situated in the County of Roberts, and State of South Dakota, viz:

The Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section thirty-five (35), Township One-hundred twenty-six (126) North of Range Fifty-two (52) West of the Fifth Principal Meridian.

TO HAVE AND TO HOLD the above rented premises unto the said Lessee their heirs and assigns, for and during the full term of ~~Sixty~~ years, from and after the 1st day of June, 1966, for the purpose of operating a Golf Course, selling memberships therein, serving dinners, refreshments and sundries.

And the said Lessee agrees to and with the said Lessor to pay as rent for the abovementioned premises the sum of One Dollar and other valuable consideration, Lessee granted the right to place temporary buildings upon the premises either upon foundation or otherwise and to remove such buildings at any time on or prior to the termination of the lease. Lessee to maintain and keep premises in as good condition as when lease is entered into; for and during the full term of this lease.

And it is further agreed by and between the parties as follows: That should the said Lessee fail to make the above mentioned payments as herein specified, or to pay any

any of the rent aforesaid when due, or fail to fulfill any of the covenants herein contained, then and in that case it shall be lawfull for the said Lessor to re-enter and take possession of the above rented premises, and hold and enjoy the same without such re-entering working a forfeiture of the rents to be paid, and the covenants to be performed by said Lessee for the full term of this lease.

And the said Lessee also covenants and agrees to and with the said Lessor not to assign this lease, or underlet the above rented premises or any part thereof, without first obtaining the written consent of the said Lessor, and that it will at the expiration of the time as herein recited, quietly yield and surrender the aforesaid premises to the said Lessor their heirs and assigns, in as good condition and repair as when it took them, reasonable wear and tear and damage by the elements alone excepted.

And the said Lessor does covenant with the said Lessee that the Farm, Home Administration in connection with a certain mortgage upon the personal property of the Lessees have the right to foreclose said mortgage located on said property, to bid at foreclosure sales to accept voluntary conveyances of the security in lieu of foreclosure and should the leasehold be acquired through foreclosures voluntary conveyances or abandonment by the F. H. A. to occupy the property, sublet it, or sell the personal property for cash or credit.

And the said Lessor does covenant with the said Lessee, that said Lessee, on paying the rent and performing the covenants aforesaid, shall and may peacefully and quietly have, hold and enjoy the said demised premises for the term aforesaid. Option is granted to renew this lease by indicating a desire to do so 30 days prior to the expiration date hereof.

IN TESTIMONY WHEREOF, Both parties have hereunto set
their hands and seals the day and year first above written.

Signed, Sealed and Delivered in
Presence of)

_____) (SEAL
_____) (SEAL
_____) (SEAL
_____) (SEAL

STATE OF SOUTH DAKOTA)
COUNTY OF ROBERTS) SS.

On this _____ day of _____ in the year 1966,
before me personally appeared--

known to me (or proved to me on the oath of _____
_____) to be the person who _____ des-
cribed in and who executed the within instrument, and ack-
nowledged to me that they executed the same.

NOTARY PUBLIC

To Wally:

Lease must provide for:

- (1) An unexpired term of at least 50% longer than the repayment period of loan (at least 60 yrs)
- (2) The Borrower's interest will not be subject to summary forfeiture cancellation
- (3) ^{The F.H.A. in connection with certain mty} ~~The right of F.H.A. to foreclose~~ ^{upon P.P. of the lease} ~~the mortgage~~; to bid at foreclosure sale; to accept voluntary conveyance of the security in ~~the~~ ^{lieu} of foreclosure, and should the leased be acquired through foreclosure, voluntary conveyance, or abandonment by the ^{F.H.A.} ~~Borrower~~, to occupy the property, sublet it, or to sell ~~it~~ ^{the P.P.} for cash or credit.
- ~~(4) The right of the borrower to sell or otherwise~~ ~~transfer the lease~~
- (5) ^{Possibility of including water rights in with this new lease?} Sufficient advance notice to F.H.A. of the lessor's intention to cancel, terminate, or foreclose upon the lease, to permit F.H.A. to take appropriate action.

EASEMENT

This indenture made and entered into the 9th day of September, 1964, by and between the City of Sisseton, Roberts County, South Dakota, hereinafter referred to as the party of the first part, and the Valley View Golf Club of Sisseton, South Dakota, hereinafter referred to as the party of the second part, -

WITNESSETH, that for and in consideration of the sum of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, the party of the first part has this day bargained and sold, and by these presents does bargain, sell, convey, transfer and deliver unto the party of the second part, an easement and right of way until November 1, 1976, with a right of renewal for an additional period of time of not less than twenty years, for the purpose of constructing, maintaining and repairing underground pipe lines as second party may require, for the purpose of conveying water over, across, through and under the lands hereinafter described, together with the right to construct and maintain a pump and pump house and draw water from a spring fed reservoir owned by the party of the first part and located on the east edge of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, Township 126, Range 52.

The land affected by the grant of this easement and right of way is ⁱⁿ located/the County of Roberts and State of South Dakota and is more particularly described as the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, Township 126, Range 52 which is presently owned by the party of the first part and which is subject to a lease to the party of the second part until November 1, 1976, with a right of renewal by second party.

That the water right herein granted to the party of the second part is for the purpose of irrigating grass greens on a golf course operated by the second party located upon the above described property and other land owned by second party and described as 13.75 acres more or less in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, Township 126 North, Range 52 as described in Book 56 of Deeds at page 193 as recorded in the office of the Register of Deeds of Roberts County, South Dakota on August 15, 1960 at 11:15 A. M.

EASEMENT-Page 2

It is further understood and agreed by and between the parties hereto that the said second party is solely responsible for the repair and maintenance, drainage and operation of said pipe line from the reservoir to the above described property, and that said second party may, as they so desire, control the placement, replacement and construction of the pipe line, pump and pump house, with full rights of ingress and egress to said reservoir.

That said easement and right of way as herein granted shall be binding upon the parties hereto and to their successors and assigns.

IN WITNESS WHEREOF the said parties have herunto set their hands and seal the day first above written.

the CITY OF SISSETON, SOUTH DAKOTA

by:

Elvin Kromer
Mayor

Peter Johnson
Auditor

VALLEY VIEW GOLF CLUB

by:

LaVerne Lehrke
President

Arthur M. Johnson
Secretary

STATE OF SOUTH DAKOTA:

ss.

COUNTY OF ROBERTS:

On this 9th day of September, 1964, before me, Wallace R. Brantseg, a Notary Public, the undersigned office, personally appeared Elvin Kromer, who acknowledged himself to be the Mayor of the City of Sisseton, South Dakota, a municipal corporation, and Peter Johnson, who acknowledged himself to be the Auditor of the City of Sisseton, South Dakota, a municipal corporation, and LaVerne Lehrke, who acknowledged himself to be the President of the Valley View Golf Club, and Arthur M. Johnson, who acknowledged himself to be the Secretary of the Valley View Golf Club, and that they, in their respective capacities, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the names of the City of Sisseton by themselves as Mayor and Auditor respectively, and the Valley View Golf Club by themselves as President and Secretary respectively.

In witness whereof, I herunto set my hand and official seal.

Wallace R. Brantseg
Wallace R. Brantseg
Notary Public-South Dakota
My Commission Expires: 10/10/66

(SEAL)

(6) "Artesian Well," any well drilled into artesian waters as defined herein which flows naturally or is pumped by mechanical means.

(7) "Well Driller," any person or persons engaged in the commercial drilling or construction, redrilling, and rebuilding of wells in the state.

(8) "Domestic Use," the use of water by an individual, or by a family unit or household, for drinking, washing, sanitary, culinary purposes and other ordinary household purposes; and irrigation of a family garden, trees, shrubbery or orchard not greater in area than one half acre. Stockwatering shall be considered a domestic use.

(9) "Municipal Use," the use of water by a municipality and the inhabitants thereof, whether supplied by the municipal government or by a privately owned public utility or other agency, primarily to promote the life, safety, health, comfort and business pursuits of the inhabitants. It does not include the irrigation of crops on a commercial scale, even within the limits of the municipality. Nor does it include large recreational uses such as lakes.

(10) "Beneficial Use," any use of water that is reasonable and useful and beneficial to the appropriator, and at the same time is consistent with the interests of the public in the best utilization of water supplies. Beneficial use is the basis, the measure and the limit of the right to the use of waters described in this act.

(11) "Vested Rights," beneficial uses of ground water under diversions and applications of water prior to the passage of this act. The right to take and use water for beneficial purposes where an owner or lawful agent is engaged in the construction of works for the actual application of water to a beneficial use at the time of the passage of the act, provided such works shall be completed and water is actually applied for such use within a reasonable time thereafter.

61.0402 Ownership. The Commission is authorized to adopt rules and regulations controlling the location and capacity of irrigation, industrial, municipal and other large capacity wells for the purpose of insuring or protecting water for domestic use.

61.0403 Vested Rights. Any person claiming to be owner of a vested right to water from any of the underground sources in this act described, by application of waters therefrom to beneficial use other than for domestic use, shall make and file with the Commission a declaration in a form and manner prescribed by the Commission. This should set forth the beneficial use to which said water has been applied, the date of first application to beneficial use and the continuity thereof, the location of the well, and if such water has been used for irrigation purposes the legal description of the land upon which such water has been so used and the name of the owner of the land or his lawful agent. Such declaration shall be verified, but if the declarant cannot verify the same on his own personal knowledge, he may do so on information and belief. The Commission shall also be authorized to require the filing of information setting forth the water level in the wells used for purposes other than domestic at such times and in such manner and form as it may require.

61.0404 Appropriation of Water. Subject to vested rights as herein defined, any person desiring to appropriate any ground water described in this act shall give notice to the Commission in a form to be prescribed, the beneficial use to which it is proposed to apply such water, the location of the proposed well, the name of the owner of the land on which such well will be located, the amount of water applied

or, the use for which it is desired and if the proposed use is irrigation, the description of the land to be irrigated and the name of the owner hereof. Notice shall be required for wells on which construction has commenced or has been completed prior to the effective date of this act. If the use to which the water is to be put is a domestic use, no application need be made. In all other respects the procedure for appropriating water under SDC Chap. 61.01 shall be followed insofar as practicable.

61.0405 Change in Location. The owner may change the location of his well or change the use of the water but only upon notice to the Commission.

61.0406 Well Records. On each well drilled the driller shall keep accurate records including its location, depth, date of commencement and completion, character of rocks drilled and fluids encountered, and each driller shall file with the Commission before the drilling of any well a notice of intent to drill such well. The above records shall be available to the Commission or its representatives at all times. Such records shall be kept confidential by the Commission or its representatives when so requested by the owner or driller.

When so requested by the Commission or its representatives or the State Geologist, access to all wells shall be given by the owner or driller for the purpose of making electric, or radio-activity logs, caliper, leakage and other surveys that pertain to the condition of the well. Such records shall be placed on permanent file in the office of the State Geologist and in the office of the Commission.

61.0407 Distribution of Wells. In locating artesian wells and shallow wells in any township wherein public or private wells have been established, due regard shall be had to their proper distribution in order that the flow of the wells may be properly equalized and least likely to interfere with each other. Should any well in such township, public or private, be located so near any well already completed or in process of completion as to be likely to interfere with the same, any person may complain in writing to the Commission, which shall without delay proceed to examine the locality and determine from its topography and the proximity of the wells whether in its judgment the well as located would unduly interfere with the one already completed or in course of completion. If in its judgment there will be no material interference, the location need not be changed, but if in its opinion the well as located will materially interfere with the one completed or in course of completion, it shall change the location of such well to some more suitable location; but when permanent buildings have been located on any farm prior to the sinking of any artesian well on any adjoining farm, this section shall not be construed as prohibiting the sinking of any artesian well at or near such buildings without reference to the proximity of any other artesian well. The Commission shall, within five days after such examination make a written statement of its decision and file the same, or a copy thereof, in the office of the clerk of courts of the county wherein such wells are located. Any person aggrieved by the decision of the Commission may, within ten days after the filing of its decision, appeal from the same to the Circuit Court of the county in which said well is located and upon such appeal the question shall be tried de novo.

61.0408 Commission to Determine Flow and Pressure. The Commission shall measure or cause to be measured the flow and pressure of all artesian wells, public or private, at such times as it may deem proper, for the purpose of determining the increase or diminution of the flow or pressure of such wells, and may enter upon any grounds for such purpose, and the owner of such well or wells shall furnish the necessary

OFFENSE REPORT

1987

INCIDENT /LIVESTOCK WITHOUT WATER

STATE CASE # -----1-----

LOCATION DEWAIN WALETISCH FARM ,WEST OF SISSETON

DATE & TIME OF INCIDENT 5/9/87

VICTIM DEWAIN WALETISCH LIVESTOCK

PH# 698/3729

SUSPECT

PH#

REPORTED BY DEWAIN WALETISCH /1717

PH# 698/3729

INSURED BY

PH#

OFFICERS NOTIFIED

INVESTIGATION INCLUDES

WITNESSES

COPIES TO- KERRY CAMERON, ROBERTS COUNTY STATES ATTORNEY

NARRATIVE

WALETISCH CALLED THE S.O. REPORTED HIS CATTLE WERE OUT OF WATER, AND WANTED THIS OFFICER TO BREAK INTO THE WELL HOUSE. THIS OFFICER PICKED UP KENNY CORDIE ON THE WAY TO THE WELL HOUSE, WALETISCH WAS AT THE WELL HOUSE WHEN THIS OFFICER ARRIVED WE ALL WENT DOWN INTO THE WELL HOUSE, AND A SHOUTING MATCH & PUSHING MATCH TOOK PLACE BETWEEN WALETISCH & CORDIE, WHICH WAS CONTROLLED BY WALETISCH'S SON & MYSELF. BOTH SUBJECTS ENDED UP WITH SLIGHTLY TORN SHIRTS.

WALETISCH WANTED A CONTROL VALVE TURNED OFF & SAID HE WOULD REPAIR ANY PIPES THAT BROKE. WALETISCH'S CATTLE WERE, OUT OF WATER FOR A CONSIDERABLE PERIOD OF TIME ON SATURDAY.

SEVERAL SUBJECTS WERE DISCUSSED INCLUDING THE IRRIGATION OF THE GOLF COURCE, WATER CONTROL & QUALITY.....

THE HUMANE SCOEITY 1-338-4441 WAS CONTACTED 5/11/87

~~PIERRE~~ WATER CONTROL 773/3352 CALLED THE S.O. 5/11/87 DEL BROZ

ROGER PEARSON CONTACTED SHERIFF LONG 5/10/87

DISPATCHER RECEIVING REPORT

COMMENTS

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410925

Pierre, June 29, 1987

RECEIVED OF Valley View Country Club, Box 228, Sisseton, SD 57262

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

Fee for Application for Permit No. 5150-3 to Appropriate Water, to construct works and to put water to beneficial use	150	00
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for		
(Any Other Work Provided by Law)		
Total	150	00

By John Hatch
Chief Engineer

JOHN HATCH

1115



Department of Water & Natural Resources

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

May 20, 1987

Wallace R Brantseg
Attorney at Law
516 2nd Ave E
Sisseton SD 57262

Dear Mr. Brantseg:

After reviewing the vested right application for Valley View Country Club, it was determined that the Country Club does not qualify for a vested right claim. The original water use by the City of Sisseton did not include irrigation of a golf course. Since the water use is different and through a separate water system that was constructed in 1966, a new permit application must be submitted. The fee for a new application to irrigate 30 acres is \$150.00. We will keep the application that was submitted, delete vested right and mark it as a new application, if this is alright with you.

I am returning the \$15.00 check which was submitted. Also, enclosed is the ASCS map and a water sample label. The label should be attached to the water sample bottle. Please outline in red on the ASCS map, the area that is irrigated and return the map to us. Along with the \$150.00 fee and the revised ASCS map, the country club must also submit a soils map of the area that is irrigated.

If I can answer any questions, please contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Delvin D Brosz". The signature is written in a cursive, flowing style.

DELVIN D BROSZ
Hydrologist
605 773-3352

enclosure

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4217

WR#

OWNERS NAME: Valley View Country Club

OWNERS ADDRESS: _____

Sisseton, SD 57262

COUNTY LAND LOCATED IN: Roberts

PHONE: 698-3742

LEGAL DESCRIPTION:

1. LOCATION SE1/4 NW1/4 35-126-52

☐ Well

☐ Surface

Depth _____

Legal Description	Acres	Legal Description	Acres
SE1/4 NW1/4 35-126-52	20		
Part of NE1/4 NW1/4 35-126-52, S of			
SD Hwy #10 n	10		
NE1/4 SW1/4 35-126-52	1.0		

OTHER: Sprinkler

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

3. CROPS TO BE IRRIGATED: Grass

WATER QUALITY:

4. WATER SAMPLE NUMBER: 88-0744

7. ADJUSTED (SAR): 2.49

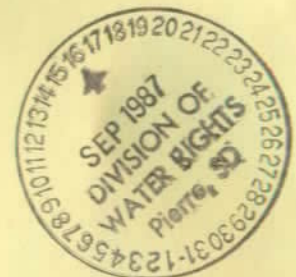
5. SALINITY (EC X 10⁶): 1650

8. PERCENT SODIUM: 12.08

6. SODIUM (SAR): 0.89

Requirements:

The drainageway which transects the course shall be maintained in grass or receive other practices which will prevent erosion.



XX APPROVED
____ DISAPPROVED
____ WAIVER

XX REQUIREMENTS

John A. Field
Director, Division of Conservation

9-10-87

Date

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

REPORT ON APPLICATION NO. 5150-3
Valley View Country Club
October 6, 1987

Water Permit Application No. 5150-3 requests 0.44 cubic feet of water per second from a spring located in the SE1/4 of the NW1/4 of Section 35 - T126N - R52W, Roberts County. The water will be used to irrigate 31 acres located in the NE1/4 of the SW1/4 and the E1/2 of the NW1/4 of Section 35 - T126N - R52W.

DISCUSSION

The source of the water for this application is a spring which originates on the east flank of the Coteau des Prairies (Tipton, 1960), approximately three miles west of Sisseton. The City of Sisseton formerly used this spring as the city water supply. The City has since replaced this source with several wells to the east of town.

Development has occurred in the area of this spring and the city's old waterline from the spring has been used as the source of water. People using this waterline have organized as the Western Line Water Users (WLWU). This pipeline operates solely on gravity flow.

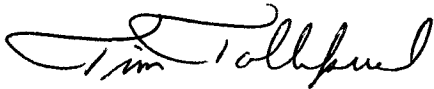
A well was constructed at the site of the spring and is approximately 22 feet deep. Valley View Country Club and WLWU pipeline both divert water from the same well. The WLWU pipeline inlet is located at the bottom of this well. A well house built over the well contains the pumps for Valley View Country Club.

A few members of the WLWU have complained of an inadequate water supply when the golf course was pumping from the well. Apparently, the pump inlets were adjacent to the inlet of the WLWU pipeline. When the pumps were in operation a vacuum was created in the WLWU pipeline which prevented the pipeline from flowing at its full capacity. As a result a few members on the pipeline did not receive an adequate water supply. Valley View Country Club has raised the pump inlets so they are now five feet above the inlet to the WLWU pipeline. No further complaints regarding an inadequate water supply have been received from WLWU users since the pump inlets have been raised.

A portion of the WLWU pipeline was replaced this past summer because the pipe was deteriorating. During this time the pipeline, 8 inches in diameter, was allowed to flow uncontrolled for approximately 6 hours. The water level in the well was never drawn down farther than 4.5 feet above the WLWU pipeline inlet. Currently there is an adequate supply of water for both the pipeline and Valley View Country Club.

CONCLUSIONS

1. Valley View Country Club has raised the inlets to their pumps to protect against adversely affecting the flow into the WLWU pipeline.
2. If for some reason the flow from this spring should decrease, Valley View Country Club will have to limit their pumping to assure WLWU will receive an adequate supply of water for the pipeline.
3. There is currently an adequate water supply for both the WLWU pipeline and Valley View Country Club.
4. It is recommended this application be approved subject to the following qualifications:
 - a. The source of water for Permit No. 5150-3, Valley View Country Club, Inc. is also the source of water for the Western Line Water Users waterline which has a prior water right. The Country Club shall control its withdrawals under Permit No. 5150-3 so that there is not a reduction of the water supply for the Western Water Line Users Waterline.
 - b. That the irrigation questionnaire be submitted each year.



Tim Tollefsrud
Natural Resources Engineer

Reference:

Tipton, Merlin J. 1960. Shallow Water Supply for the City of Sisseton. State Geological Survey. Special Report 12.

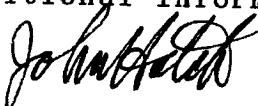
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5150-3, Valley View Country Club, Inc.

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5150-3, Valley View Country Club, Inc., Box 228, Sisseton SD.

The Chief Engineer is recommending APPROVAL of Application No. 5150-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The source of water for Permit No. 5150-3, Valley View Country Club, Inc. is also the source of water for the Western Water Line Users waterline which has a prior water right. The Country Club shall control its withdrawals so that there is not a reduction of the water supply for the Western Water Line Users waterline.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
October 21, 1987

No. 5150-3

Instruction to Newspaper - Publish first publication of the following Notice on or before **October 29, 1987** with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5150-3 to Appropriate Water
and/or to Amend Water Permit or Water Right No. _____

Notice is hereby given that Valley View Country Club, Inc. whose mailing address is Box 228, Sisseton, South Dakota has made an application for a permit

to appropriate 0.44 cubic feet of water per second from a spring located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35-T126N-R52W to irrigate 31 acres. The irrigated acreage is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 35-T126N-R52W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 5150-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Howard Johnson, Roosevelt & Jefferson room, 2211 LaCrosse, Rapid City, SD, Dec. 2 19 87 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by November 20, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15:02 thru 74:02:01:15:05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 20, 1987.

61.0156 Eminent Domain. The United States, this state, any person, or any private or public corporation may exercise the right of eminent domain, in the manner provided by law to acquire as a public use any property or rights now or hereafter existing when found necessary for the application of water to beneficial uses, including the right to enlarge existing structures and to use the same in common with the former owner. Any canal right of way so acquired shall be so located as to do the least injury to private or public property, consistent with proper and economical engineering construction.

Section 2. Any person, or persons, firm or corporation violating any of the provisions of section 1 hereof shall be guilty of a misdemeanor and punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment.

Section 3. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Approved March 2, 1955.

CHAPTER 431

(H. B. 515)

AMENDING LAWS RELATING TO GROUND WATERS

AN ACT Entitled, An Act relating to waters, ground waters and wells, and repealing sections 61.0401 to 61.0407, inclusive, sections 61.0414 to 61.0431, inclusive, of the South Dakota Code of 1939.

Be It Enacted by the Legislature of the State of South Dakota:

Section 1. That SDC 61.0401 to SDC 61.0407, inclusive, and SDC 61.0414 to SDC 61.0431, inclusive, be, and the same are hereby, repealed, and that in lieu of SDC 61.04 the following numbered sections, reading as follows, be substituted:

61.0401 Definitions. Terms used in this title, unless the context otherwise plainly requires, shall mean:

(1) "Person," a natural person, a partnership, an association, a corporation, a municipality, the State of South Dakota and any political subdivision thereof, and agency of the Federal Government.

(2) "Commission," the Water Resources Commission of the State of South Dakota.

(3) "Ground Water," water under the surface, whatever may be the geologic reservoir in which it is standing or moving.

(4) "Artesian Water," any confined ground water that is under sufficient pressure to rise above its confining bed.

(5) "Well," an artificial excavation or opening in the ground, made by means of digging, boring, drilling, jetting, or by any other artificial method, for the purpose of obtaining ground water. Any series of openings, borings, or drillings developed and pumped collectively by a single pump unit shall be considered as one well.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County ROBERTS) ss.

I, JACK ADAMS hereby

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

Water was taken from the SISSETON 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 SISSETON

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

Oct. 28, 1987

Nov. 4, 1987

Jack Adams
(Signature)

PUBLISHER

(Title)

11-4-87

(Date Signed)

Cost of Printing: \$43.49

99 LINES AT 24.4¢ PER LINE, 80% SECOND

ISSUE

NOTICE OF HEARING
ON APPLICATION NO. 5150-3
TO APPROPRIATE WATER

Notice is hereby given that Valley
View Country Club, Inc., whose
mailing address is Box 228, Sisseton,
South Dakota has made an ap-
plication for a permit to appropriate
0.44 cubic feet of water per second
from a spring located in the
SE 1/4 NW 1/4 Section 35 T126N-R52W
to irrigate 31 acres. The irrigated
acreage is located in the NE 1/4 SW 1/4,
E 1/2 NW 1/4 Section 35 T126N-R52W.

Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water Rights
Division recommends Approval of
Application No. 5150-3 because 1)
unappropriated water is available,
2) will be no unlawful impairment of
existing rights, 3) is beneficial use of
water and 4) is in the public interest.

This application will be con-
sidered by the Water Management
Board at Howard Johnson,
Roosevelt & Jefferson room, 2211
LaCrosse, Rapid City, SD, Dec. 2,
1987 at 10:00 a.m.

The recommendation of the Chief
Engineer is not final or binding upon
the Board and the Board is
authorized to 1) approve, 2) approve
with qualifications, 3) defer, or 4)
deny this application after it reaches
a conclusion based upon facts
presented at the public hearing. Any
interested person who may be af-
fected by a Board decision and who
intends to participate in the hearing
before the Board and present
evidence or cross-examine wit-
nesses according to SDCL 1-26, must
file a written petition with BOTH the
applicant and the Chief Engineer by
November 20, 1987. The petition may
be informal, but it must include a
statement describing the petitioners
interest in the application, the
reasons for the petitioner's op-
position to or support of the ap-
plication, and the signature and
mailing address of the petitioner or
his legal counsel if legal counsel is
obtained. The applicant need not file
a petition.

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

T

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605-773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 30, 1997.

(Oct. 20-Nov. 4-2w)

Water Commission
Bureau of Soil

Application of Valley View Golf Course and Westline Water Users.

Walsted farm has had use of this water since 1916 till now. This farm depends on this water for livestock and dairy cattle for main source of income. Only user till about 1961

We have tried to drill for water and no luck. Same goes for the other users on the West spring and South spring.

This farm is on West spring, and city of Sisseton has operated since 1902 was in use till in 1950 when they got new well east of Sisseton. We were the only one on this line till about 1961 when Mike Poo built a new home. This farm and Mike maintain line at our expense till about 1965 or later and more homes were built. The city took it back and just charged each for maintenance of line.

Two years ago this line was turned over to Westline water users for \$1500⁰⁰, which this farm could have paid too, but was for all to use.

Now my complaints are as:

Golf course has been pumping water for 15 years now for their greens. They have been fair with us. When I was out of water they would shut down, but there was times with new caretakers who would not stop pumping water until I found the man in charge of course. I feel that the VVCC has worked with us in past, present and I'm sure they will in the future.

But the Westline users:

If the valve $\frac{1}{2}$ mile east of me is turned open, this farm does not get any water. Our tap is only $\frac{1}{2}$ way in main water line so even the pressure pump does not draw any water only ruins the pump.

This summer we had lots of problems?

Between water breaks and valve being opened I was out of water most of the time.

Many thanks to Mr Phil Long Roberts County Sheriff for trying to help solve this problem and thanks for calling Water Commissioner of Gine and 2 men were sent out and a meeting was held in Courthouse, also 1 field man was at Golf course one day.

Results of Meeting.

Which I feel both VCC and West Line users should go along with.

If this farm has no water. VCC would stop pumping water. Who is in charge of West line try to find problem. If this wasn't down. I was to call Mr John Sutton owner of S & S Trenching Company. (Mr Sutton has repaired this line and knows where all pipes, connections, valves, and how the spring works.)

The West Line users replaced about 1 mile of new pipe right to end of driveway. 4 inch lines and thanks.

But now they have a shut-down valve $\frac{1}{2}$ mile above me and the valve $\frac{1}{2}$ mile east of farm in tower, and door is locked. The men who run valves are on South line and don't use this water.

The problem here is very clear:

If valve above is closed down to much no water. If valve below is open to much will have no water.

There is no way any person can maintain a steady 50th to 60th pressure on line.

I feel there must be a more dependable control at the tower so it as not to waste any water. There is only 3 homes below us that

use this water. the rest of water goes
down the drain to the creek.

Mr Sutton said there was a way to control
water better. Was sure he could make
a control more dependable.

If Mr Sutton was ~~in~~ the man in charge
of the water line. We would all have
water both VCC and West Line users.

If any question on
any of the above
please write or call ?

698-3729
—

Sincerely

Howard J. Walcott
R-3 Box 277
Sisseton, S. Dak
57262



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

FEB 9 1988

Valley View Country Club, Inc.
Box 228
Sisseton, South Dakota 57262

Dear Sir:

Enclosed is your Water Permit No. 5150-3 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in cursive script, reading "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosure



P.O. Box 228
Sisseton, SD 57262
Phone (605) 698-3742

March 27, 1988

S.D. Dept. of Water & Natural Resources
John Hatch, Chief Engineer
Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, S.D. 57501-3181



Dear Mr. Hatch:

In reference to your letter, dated 2/9/88, we are wondering when you plan to schedule an inspection at Valley View, so that our Water License may be issued. If you could please let us know about the inspection ahead of time, our grounds committee of 4 would like to be present during the inspection.

Thanking you in advance for your co-operation in this matter. I remain,

Yours Sincerely,

Carol A. Schade, Sec.-Tres.
Carol A. Schade, Sec.-Tres.

Valley View Country Club, Inc.



MORRIS IRRIGATION, INC.

Box 1162 • Pierre, South Dakota 57501 • Phone 223-2585

Del ,

5/15/87

Enclosed find literature sheet
on valve we talked about.

It will sustain constant up-
stream pressure, and is adjustable.
List price of \$1,095 for 4" model
108-2.



Jim O.

OCV
SERIES
108

PRESSURE RELIEF VALVES

general description (MODEL NO. 108-2 STANDARD)

The OCV Series 108 Pressure Relief/Back Pressure Valve is specifically designed for use in piping systems where constant line pressure is critical. When used in a main flow line, the valve acts as a back pressure or pressure sustaining type, i.e. inlet pressure is kept virtually constant regardless of fluctuating discharge demand. When used in a by-pass line the valve functions as a relief valve, protecting the system from surges. Through the use of different controls the OCV Series 108 is adaptable to a wide range of operating conditions.

product features

- Compact design and mechanical simplicity of the basic valve and controls minimizes field maintenance. All field repairs can be made without removing main valve from line.
- Diaphragm type, direct acting, spring loaded (normally closed) pilot permits close control of upstream pressure regardless of downstream fluctuations.
- No packing glands or lubrication required.
- Wide range of adjustment available from 2 psi to 300 psi.
- Single adjusting screw for pressure setting is protected by cap to discourage tampering.

combinations available

108-2 PRESSURE RELIEF/BACK PRESSURE maintains constant inlet pressure.

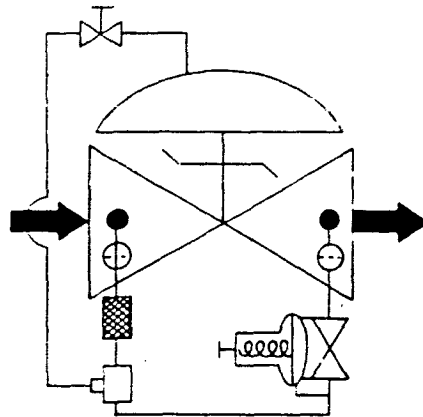
108-3 PRESSURE RELIEF/BACK PRESSURE/CHECK
Addition of check features prevents backflow in the event of pressure reversal.

108-4 PRESSURE RELIEF/BACK PRESSURE/SOLENOID-
Addition of solenoid control allows valve to be automatically operated from a remote location.

ordering information needed

All orders should specify . . .

1. Size, figure number & description.
2. Pressure and flow rate settings when applicable.
3. Main valve material (iron, steel, etc.)
4. Type of end connections.
5. Fluid to be controlled.
6. Maximum working pressure & temperature.
7. Electrical characteristics when applicable.
8. Additional accessories desired (indicators, manual operators, etc.)
9. For special applications and for Class 250 lbs. C. I. and 300 lbs. ANSI Cast Steel, contact factory.



OCV Control Valves

OCV Pressure Relief Valves

specifications

SIZES	Globe -	1-1/4" thru 3" Screwed Ends 1-1/4" thru 16" Flanged Ends 14" Consult Factory
	Angle -	2" Screwed Ends 2" thru 8" Flanged Ends
END DETAIL	Flanged -	Cast Iron 125 & 250 ANSI B16.1 Cast Steel 150 & 300 ANSI B16.5 Cast Bronze 150 & 300 ANSI B16.24 Cast Aluminum 150 ANSI B16.5
	Cast Iron:	125 Class - 175 psi max. 250 Class - 400 psi max.
PRESSURE RATINGS	Cast Steel:	150 Class - 285 psi max. 300 Class - 740 psi max.
	Cast Bronze:	150 Class - 225 psi max. 300 Class - 500 psi max.
TEMPERATURE RATINGS	Cast Aluminum:	150 Class - 285 psi max.
	Note:	Maximum differential pressure across diaphragm of basic valve & pilots is not to exceed 300 psi.
		Min. Max.
	Light petrol products	-40°F +180°F
	All water products	+32°F +180°F

MATERIALS
(Main Valve & Bonnet)

TRIM
(Standard on all valves)

**VALVE
CONTROL
PILOTS**

**OTHER
MATERIALS**

Cast Iron - ASTM A 126
Cast Steel - ASTM A 216-WCB
Cast Aluminum - 356-T6*
Cast Bronze - ASTM B61 or B62*
*Not carried in stock. Consult factory.

Stem or Shaft & Spring - Stainless Steel
Spool, Seat (disc) Retainer, Diaphragm
Plate - Ductile or Bronze*
Seat (ring) & Upper Stem Bushing - Bronze
Diaphragms - Buna-N, Nylon reinforced
"O" Rings - Buna-N
* 2" & smaller only.

Standard Bronze or Stainless Steel with Stainless Steel and Buna-N internal parts. Pilots can be supplied in Aluminum and with Viton elastomers.

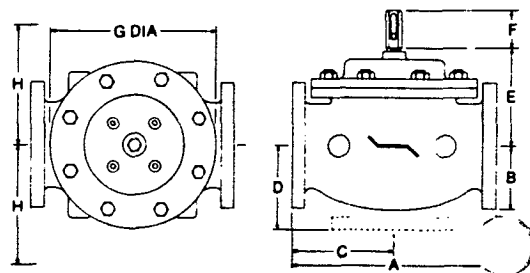
Stainless Steel seats* and Viton elastomers available on customer specification.
*Glass filled Teflon bushing: supplied.

Note: Vendor supplied accessories will be in accordance with suppliers' specifications and will be so shown in the installation and operation manual supplied

dimensions

		Valve Size									
Dimension	ANSI/PSI	1¼" & 1½"†	2"†	3"†	4"	6"	8"	10"	12"	14"	16"
A	125/150	8½"	9¾"	10½"	13½"	17¾"	21½"	26½"	34"	39"	40¾"
	250/300	8¾"	9¾"	11¼"	14½"	18½"	22¾"	267⁄8"	35½"	40½"	42"
B	125/150	2¾"	3"	3¾"	4½"	5½"	6¾"	8"	9½"	105⁄8"	11¾"
	250/300	2¾"	3¼"	4¼"	5"	6¼"	7½"	8¾"	10¼"	11½"	12¾"
C	125/150		4¾"	6"	7½"	10"	12¾"				
	250/300		47⁄8"	6¾"	713⁄16"	10½"	13¼"				
D	125/150		37⁄8"	4"	413⁄16"	6"	8"				
	250/300		4"	4¾"	5¼"	6½"	8½"				
E**	ALL	6"	6"	7"	8"	10"	11"	14"	17"	18"	19"
F	ALL	37⁄8"	37⁄8"	37⁄8"	37⁄8"	37⁄8"	37⁄8"	63⁄8"	63⁄8"	63⁄8"	63⁄8"
G	ALL	6"	6¾"	711⁄16"	10"	12½"	17¾"	215⁄8"	28"	31¼"	34½"
H**	ALL	10"	11"	11"	12"	13"	14"	17"	18"	20"	20"

**Allow for clearance. NOTE: †Applies also to screwed end valves.



flow chart — basic valve

Flow of Water — Gallons Per Minute — Thru Globe Type Valve*

Valve Size	Cv Factor	10	15	20	30	40	50	60	80	100	150	200	300	400	600	800	1,000	2,000	3,000	4,000	6,000	8,000	10,000
1-1/4"	23	.19	.43	.76	1.7	3.0	4.7	6.8	12.1	18.9													
1-1/2"	27	.14	.31	.55	1.2	2.2	3.4	4.9	8.8	13.7													
2"	47		.1	.18	.4	.7	1.1	1.6	2.8	4.5	9.8	18											
3"	96				.1	.18	.27	.4	1.2	2.5	4.2	10	17.3										
4"	200					.1	.1	.16	.25	.56	1.0	2.2	4.0	9.0									
6"	450								.1	.1	.19	.44	.8	1.8	3.1	5.0	19.8						
8"	760									.1	.1	.15	.27	.62	1.1	1.7	7.0	15.5					
10"	1,100										.13	.2	.3	.52	.62	3.3	7.4	13.2					
12"	1,700													.13	.23	.35	1.4	3.1	5.5	12.5			
14"	2,151														.14	.22	.85	1.9	3.5	7.8	13.8	22.1	
16"	2,850															.12	.49	1.2	2	4.5	7.9	12.3	

*Table is supplied for information and guide for sizing only. Figures are based on fully open valve flowing water. Modulating valves (pressure regulating, throttling, etc.) rarely reach full open position. Flow rates and pressure drop may be interpolated in such instances.

Cv Factor = Number of gallons of water that will flow at one psi pressure differential.

GPM = Cv × √ (Pressure Loss thru valve / Specific Gravity of fluid)

flow chart — ocv series 108

Flow of Water — Gallons per Minute — OCV 108 Series Valve

Valve Size	1-1/4"	1-1/2"	2"	3"	4"	6"	8"	10"	12"	14"	16"
Velocity at 10' per sec.	45	65	100	230	400	900	1,550	2,450	3,500	4,200	5,500
Velocity at 15' per sec.	70	100	150	350	600	1,350	2,350	3,700	5,250	6,300	8,250
Velocity at 20' per sec.	95	125	210	460	800	1,800	3,100	4,900	7,000	8,450	11,000
*Velocity at 45' per sec.	210	285	470	1,000	1,800	4,000	7,000	11,000	15,700	19,000	24,800

*For use in intermittent surge relief service only.

NOTE: All figures are based on cast iron valves with bronze trim. These figures should be used for estimation only and are provided as a guideline for sizing control valves.

OCV Control Valves

7400 EAST 42 PLACE
TULSA, OKLAHOMA 74145
918 627-1942
TWX 910-845-2227

Holland, Brantseg & Glynn

ATTORNEYS AT LAW
516 SECOND AVENUE EAST
SISSETON, SOUTH DAKOTA 57262

WM. J. HOLLAND (1910-1983)
WALLACE R. BRANTSEG
RICHARD A. GLYNN

TELEPHONE
605-698-3037

May 15, 1987

Mr. Del Brosz
Dept. of Water and Natural Resources
Joe Foss Building
523 East Capital Avenue
Pierre, South Dakota 57501

Re: Valley View Country Club
Sisseton, South Dakota



Dear Mr. Brosz:

Pursuant to our telephone conversation of May 14, I now enclose to you an Application for Soil/Water Compatibility Permit and Permit to Appropriate Water, together with an Affidavit of Construction of Water Use System and Application of Water to Beneficial Use on behalf of Valley View Country Club. Also enclosed is a check from Valley View Country Club for the filing fee of \$15.00. Pursuant to our telephone conversation, I am also enclosing to you copies of the Easement, Lease, a note from the Farmers Home Administration Office, and a copy of the original Easement from the City of Sisseton. These are all in connection with our discussion yesterday.

I am emphasizing again to you that to the best of my recollection, Farmers Home Administration required proof of water rights when they loaned us money, and you will note on the first easement my scribbled notes of "make application under 61.0403" and then I had written "letter or form" with a question mark and then "1955 SL 521". To the very best of my recollection, we furnished this application or form to the Department all as part of our FHA requirements. I cannot find a permit number or a permit in any papers here. As I explained on the telephone, we have probably had a dozen different secretaries at the golf course since this was all done and the papers shuffled among them could easily lost that permit. It also could be that it was mislaid or lost in Pierre. At any rate, we have always operated under the assumption that we had all the water rights for irrigation.

Upon review of this application you feel you need any additional information, please feel free to contact me at any time at the above telephone numbers.

Mr. Del Brosz
Re: Valley View Country Club
May 15, 1987
Page 2

Thank you for your assistance and cooperation in this matter.

Sincerely yours,

HOLLAND, BRANTSEG & GLYNN

BY:

Wallace R. Brantseg

WRB:me✓
Enclosures



Department of Water & Natural Resources

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

May 19, 1987

NOTICE

TO: Wallace Brantseg, Attorney
for Valley View Country Club
516 E 2nd Ave
Sisseton SD 57262

DeWain Waletich
RR 3, Box 277
Sisseton SD 57262

Ken Cordie, President
West Water Line Users
RR 3
Sisseton SD 57262

Roger Pearson, Pres.
Valley View Country Club
Sisseton SD 57262

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

*Del Brosz
for John Hatch*

SUBJECT: Water Use By West Water Line Users and Valley View
Country Club and Notice Of The Requirement To File A
Vested Water Right Claim and Application For A Water
Permit

We received a complaint from Mr. and Mrs. DeWain Waletich on May 11, 1987 concerning the lack of water for their dairy herd.

Through telephone conversations between Del Brosz of this office and the Waletichs, Roberts County Sheriff, Neil Long and a field investigation by Tim Tollefsrud of this office the following information was obtained:

1. Neither the West Water Line Users nor the Valley View Country Club have a water permit on file with the Division of Water Rights.
2. Mr. and Mrs. Waletich obtain water from the West Water Line Users pipeline for their dairy herd and household use.
3. Mr. and Mrs. Waletich are claiming the right to free use of water from the West Water Line Users pipeline through a claimed agreement between the landowner, at the time the system was constructed, and the City of Sisseton for construction of the pipeline across their property. Any written agreement should be presented to West Water Line Users.
4. An attempt is made to control water pressure in the West Water Line Users pipeline by a hand operated valve at the end of the pipeline. If the pressure is too low, the Waletich farm does not receive water.

May 19, 1987

NOTICE

Page 2

5. The City of Sisseton constructed the pipeline many years ago and transferred ownership to the West Water Line Users approximately two years ago.
6. There are between 30 to 35 users on the West Water Line Users Pipeline.
7. Water for the West Water Line Users pipeline is obtained from a spring that was developed for the pipeline. The pipeline operates on gravity flow. No pumps are involved.
8. Valley View Country Club is pumping water from the same spring for irrigation of a golf course. Two Berkley centrifugal pumps are used and are powered by 30 horsepower and 60 horsepower motors. It is estimated that the two pumps have a combined capacity of approximately 900 gallons per minute.
9. On occasion, the pressure in the West Water Line Users pipeline drops below a point at which water cannot be delivered to the Waletich farm. It has not been determined if the pressure drop is caused by operation of the Country Club pumps, increased water use by the West Water Line Users, operational procedures of the West Water Line Users pipeline, or deteriorated conditions of the pipeline.
10. The West Water Line Users system is not being monitored for safe drinking water standards.
11. The West Water Line Users pipeline may qualify for a vested water right claim. The pipeline was reported as being constructed prior to 1955. Water has been used continuously since the pipeline was constructed.
12. The Valley View Country Club pumps and irrigation system were installed in 1966.

Based upon the above information, certain legal requirements need to be completed and certain actions could be done to solve the problems.

If the West Water Line Users system was constructed prior to 1955 and water has been continuously used since its construction, a vested right claim must be filed with this office. Mr. Tollefsrud left the necessary forms with Mr. Cordie. South Dakota Water Law SDCL 46-5-49 states that if the Chief Engineer is aware of a water use system for which the owner claims vested right status, the owner may be required to file a vested right claim within 90 days. Any claim filed after the 90 days will be considered a new application and receive a new priority date, which would be the date the application is received in this office. The West Water Line Users have 90 days from the date of this notice to submit an application. The filing fee is \$15.00 per application.

The Valley View Country Club must file an application for an irrigation water permit with this office. Mr. Tollefsrud left the necessary application forms with Sheriff Long. At the present time, the Country Club has no legal right to divert water from the spring for irrigation of the golf course. If an

May 19, 1987

NOTICE

Page 3

irrigation water permit is approved for the golf course, the permit will probably contain a qualification that would require the golf course pumping to be controlled so as not to interfere with the West Water Line Users pipeline.

There are options that could be pursued in trying to assure water service to the Waletich farm, such as:

1. The hand operated valve at the end of the pipeline could be replaced with a hydraulically operated pressure valve.
2. A water storage tank could be installed on the Waletich farm. Water could then be pumped from storage for use by the Waletich farm.
3. A time sharing arrangement could be set-up on the pipeline so at times of high water use the pressure in the pipeline would remain acceptable.

We do not know if any of these options would solve the problem. It may be necessary to employ an engineering consultant to determine the best solution.

The West Water Line Users should also check with the Office of Drinking Water, Department of Water and Natural Resources, Joe Foss Building, Pierre SD 57501 on the requirements regarding Safe Drinking Water Standards.

If we may answer any questions, please contact us.

cc: Neil Long, Roberts County Sheriff
Office of Drinking Water

CERTIFICATION

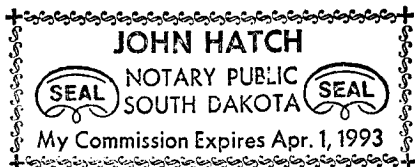
I hereby certify that on May 19, 1987 I have personally deposited with the U.S. Mail, postage prepaid envelopes containing Notice concerning water use by West Water Line Users and Valley View Country Club addressed as stated on the notice with copy to Neil Long, Roberts County Sheriff, 2nd Ave E, Sisseton SD 57262.

Karen Schlaak

KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 22nd day of May, 1987.



John Hatch
Notary Public

Holland, Brantseg & Glynn

ATTORNEYS AT LAW
516 SECOND AVENUE EAST
SISSETON, SOUTH DAKOTA 57262



TELEPHONE
605-698-3037

WM. J. HOLLAND (1910-1983)
WALLACE R. BRANTSEG
RICHARD A. GLYNN

June 26, 1987

Mr. Delvin D. Brosz
Hydrologist
S.D. Dept. of Water and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Re: Valley View Country Club

Dear Mr. Brosz:

Enclosed you will now find, pursuant to your letter of May 20, 1987, a check for our Application Permit to irrigate 30 acres, in the sum of \$150.00. I also enclose to you an ASCS map where I have outlined in red the area that is irrigated as close as I can come to the exact area. Also enclosed is a soil map of the area and I have again outlined in red the entire area used by the golf course. This hits right on the page lines, but most of the golf course area is on page 42 of the Roberts County soil maps.

I believe you would have in your office the code of the different soil samples registered in the soil map, so I did not bother to photocopy the coding.

The water sample, pursuant to your letter, has been mailed to the Water Quality Lab at Brookings, South Dakota. I do not know if they will return the analysis to me, or if they will mail that directly to you.

If we need to submit any additional material, please contact me immediately.

Sincerely yours,

HOLLAND, BRANTSEG & GLYNN

BY: *Wallace R. Brantseg*

WRB:me
Enclosures

Water Rights Division - DWNR
Conversation or File Documentation

File No. _____

NAME OF PERSON OR FILE: MRS. DEWAIN WALETRICH

ADDRESS: RR 3 BOX 277 COUNTY ROBERTS

DATE: 26 JUNE 87 TELEPHONE 698-3729

RE: VALLEY VIEW COUNTRY CLUB - WALETRICH DAIRY FARM

COMMENTS:

MRS. WALETRICH CALLED TO INFORM US THEY ARE OUT OF WATER AT
THEIR FARM BECAUSE OF PUMPING BY THE VALLEY VIEW COUNTRY CLUB.
THE COUNTRY CLUB IS IRRIGATING WITHOUT A WATER PERMIT.

I TELEPHONED MR ROGER PERSON PRESIDENT 698-3742
VALLEY VIEW COUNTRY CLUB

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

NAME: K.B.

Conversation or File Documentation

NAME OF PERSON OR FILE: Mrs Dewain WaletichADDRESS: Sisseton, SD COUNTY RobertsDATE: 6-29-87 (approx 2:00 p.m.) TELEPHONE 698-3729RE: Valley View Country Club - West Water Line pipeline - Waletich Dairy Farm

COMMENTS:

Mrs. Waletich called to complain that they were not getting water from the pipeline. She stated that whenever the golf course pumped they ~~would~~^{were} without water. She claimed ~~that~~ that on some days the golf course pumped water all day. It takes about 1 1/2 hours for water to start flowing at their farm after the golf course stops pumping.

I called Mr. Bruntse. He restated what he told Tim T. this morning.

I called Ken Cordie, President of the West Water Line Users. He stated that the golf course did pump water during times when they had promised not to pump. He didn't think the Waletich farm should put in a storage tank since this would cause water shortages for other users. I informed Mr. Cordie that the pipeline association should get their water permit application filed.

I called the Valley View Country Club and they stated that they did not pump water for irrigation today.

Mr. Cordie also stated that the pipeline users were planning to have the pipeline cleaned ~~out~~. The users would be without water for two to three days when this is done.

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

NAME: Shirley A. Borg

Conversation or File Documentation

NAME OF PERSON OR FILE: Denin WaletichADDRESS: Sisseton COUNTY RobertsDATE: June 30, 1987 TELEPHONE _____RE: Lack of water due to golf course irrigation.

COMMENTS:

Investigated golf course well to determine if a shut-off float was being used. Float was present and apparently being used. However, float rod was chained when I arrived to look at it.

Discussion with Waletich and Jim Wenschlog (G.C.) followed the inspection. Wenschlog said they watered the fairways (400 gpm) from 11:00 pm to 2:00 am and the greens & tee boxes (100 gpm) from 2:00 am to 7:30 am. Waletich requested that they split up the watering times so that he had water for his dairy operation in the mornings and evenings. Waletich doesn't care how much they water as long as they don't pump from 2:00 am to 7:30 am and 4:00 pm to 9:00 pm. Waletich feels that this would give the water time to gravity feed down to his farm so that he would have a sufficient supply of water.

A verbal agreement was made to begin splitting up watering times so that both parties could be satisfied.

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

NAME: James L. Wenschlog

Conversation or File Documentation

NAME OF PERSON OR FILE: Dewain WaletichADDRESS: Sisseton, SD COUNTY _____DATE: June 30, 1987 TELEPHONE _____RE: Valley View Country Club & West Water Line UsersCOMMENTS: ^{telephone}

In discussions with Mr. Waletich and with Mr. Wallace Brantseg it was agreed that the Country Club ~~would~~ would work with Mr. Waletich on a ~~water~~ pumping schedule for the country club.

I informed Mr. Brantseg that one of the options would be to order the country club to cease pumping if the two groups cannot cooperate with each other.

The Country Club had been informing us that they only pumped from 10 p.m. to 2 a.m. This has not been true they have been pumping during other times. On June 30th they were pumping at 5 a.m.

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

NAME: Dewain H. Brantseg, P.E.

Conversation or File Documentation

NAME OF PERSON OR FILE: Wallace BrantsegADDRESS: _____ COUNTY RobertsDATE: _____ TELEPHONE 698-3037/698-3511RE: Valley View Country Club & Western Water Users Pipeline

COMMENTS:

I called Mr. Brantseg and discussed the irrigation of the Valley View Country Club golfcourse. Mr. Dewain Walelich has complained that irrigation of the golfcourse causes the pipeline he gets water from to go dry. Mr. Brantseg stated they are trying to cooperate so Mr. Walelich doesn't run out of water. They have put a float in the well so the water level will not drop further than four feet below the ordinary water level. They only irrigate from 10 PM to 2 AM. Mr. Brantseg stated the Western Water Users Pipeline is severely corroded. He thought this was the main reason the Walelich farm does not receive water at certain times.

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

NAME: Jim Callipud

SOUTH Dakota Department of
Water & Natural Resources

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

July 6, 1987

NOTICE

TO: Wallace Brantseg, Attorney DeWain Waletich
for Valley View Country Club RR 3, Box 277
516 E 2nd Ave Sisseton SD 57262
Sisseton SD 57262

Ken Cordie, President Roger Pearson, Pres.
West Water Line Users Valley View Country Club
RR 3 Sisseton SD 57262
Sisseton SD 57262

FROM: John Hatch, Chief Engineer *John Hatch*
Water Rights Division
605 773-3352

SUBJECT: Water Use By West Water Line Users and Valley View
Country Club

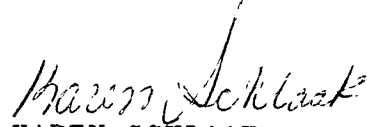
We have again received complaints from Mr. and Mrs. DeWain Waletich concerning water shortages when Valley View Country Club irrigates their golf course.

In a notice dated May 19, 1987, both Valley View Country Club and West Water Line Users were informed that they need to submit water permit applications. A water permit application has been received from Valley View Country Club. When an application is received from the West Water Line Users, a public hearing before the Water Management Board will be scheduled on the applications.

In the interim, Valley View Country Club has agreed by telephone to restrict water pumping so as not to interfere with the water needs of the West Water Line Users.

CERTIFICATION

I hereby certify that on July 6, 1987 I have personally deposited with the U.S. Mail, postage prepaid envelopes containing Notice concerning water use by West Water Line Users and Valley View Country Club addressed as stated on the notice.


KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 6th day of July, 1987.




Notary Public

September 11, 1990

Valley View Country Club, Inc.
Box 228
Sisseton, SD 57262

Dear Sirs,

On August 29, 1990, I inspected Water Permit No. 5150-3 to irrigate the Valley View golf course. At that time I found a dam/dugout to catch surface runoff and to act as a reservoir for water pumped from the spring fed reservoir had been added without being covered by the water permit. Because of this, a new water permit covering this dam/dugout must be applied for.

Enclosed is an instruction sheet and a set of partially completed applications which should be reviewed, completed, signed and returned to this office along with a \$150 fee. Also, I spoke with the Division of Conservation and they are requiring that a water sample be taken and tested for the soil/water compatibility permit.

If there are any questions, feel free to contact me at the Division of Water Rights, 523 East Capital, Pierre, SD 57501. Phone (605) 773-3352.

Sincerely,

Mark D. Rath
Natural Resources Engineer II
Water Rights Division

NOT TO SCALE



Conversation or File Documentation

NAME OF PERSON OR FILE: (CAROL Schade) VALLEY VIEW COUNTRY CLUBADDRESS: Sisseton COUNTY ROBERTSDATE: 9/13/90 TELEPHONE 698-7471RE: INSPECTION OF VALLEY VIEW COUNTRY CLUB

COMMENTS:

Ms Schade - SEC-TREAS FOR VALLEY VIEW COUNTRY CLUB CALLED. SHE FOR A REINSPECTION OF THE COUNTRY CLUB WITH MEMBERS OF THE BOARD OF DIRECTORS SHE FELT THAT THE DAM WAS COVERED UNDER A SEVENTH PERMIT.

I CHECKED THE FILES AND DID FIND THAT THE DAM WAS COVERED UNDER WP-5229-3

Called Ms Schade BACK TOLD HER THAT AFTER REVIEWING ~~THE~~ WP 5229-3 THAT I WOULD BE ABLE TO ~~REVIEW~~ INCORPORATE THE TWO PERMITS AND LICENSE THEM.

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

NAME: Mark Platt