

Considered: _____

WATER PERMIT NO. 5171A-3

Phone: 487-7223

Name of Applicant: Ft. Randall Recreation, Inc.

Post Office Address: PO Box 670, Lake Andes, SD 57356

Amount of Water Claimed: 0.54 cfs (no add'l) Total Acres: 38 acres (no add'l)

Source of Water Supply: Missouri River

Water to be used for: irrigation (golf course) County: Charles Mix

About _____ miles _____ of Pickstown

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received: Oct. 1, 1990 Fee: \$50 Remarks additional

diversion point from the backflush lagoon on Randall Community Water District

Corrected Application Received _____ Period of Annual Use June 1 - August 31

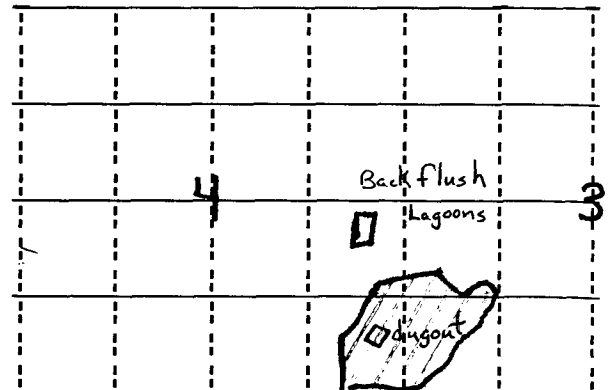
WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: NE1/4 SE1/4 Section 4 T95N-R65W

Land to be Irrigated: E1/2 SE1/4 Section 4, W1/2

SW1/4 Section 3, all in T95N-R65W



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: _____ REMARKS _____

Type of Map: ASCS Aerial PREPARED BY: Lyle Labree Reviewed and the Number

Assigned on 10/8/90 By Eric Gronlund

FORM 2: Application for irrigation (type or print)
in South Dakota

(Wed)

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

(See instructions)

No. 5171A-3 Hydrologic Unit 10170101
Basin Missouri River
Newspaper Lake Andes Wave, Box 216 57356

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

- Type of Application: ☐ New ☐ Vested Right ☒ Amend Permit No. 5171-3
- ☐ Change Acreage ☐ Change diversion point(s) ☒ Add diversion point(s)
- ☐ Add Acreage ☐ Increase diversion rate ☐ Other _____
1. Name of Applicant FT. Randall Recreation, Inc. Phone No. 487-7223
- Post Office Address PO Box 670, LAKE ANDES State SD 57356
(Street, RR or Box) (City) Zip Code
2. Amount of water claimed (c.f.s) Same Total acres irrigated Same 38 (no add'l)
3. Source of Water supply Upper - owned by Randall Community water District
4. Location of point of diversion Additional diversion Unit NE 4 SE 4 - 4-95-65
- County Chas Mix
5. Counties where water will be used Chas Mix
6. Annual period during which water is to be used Same - June 1 - August 31
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
<u>Same AS 5171-3</u>	

Land Description	No. Acres Irr.
NE 1/4 SE 1/4 Sect. 4 T95N-R65W	2
SE 1/4 SE 1/4 Sect. 4 T95N-R65W	23
NW 1/4 SW 1/4 Sect. 3 T95N-R65W	3
SW 1/4 SW 1/4 Sect. 3 T95N-R65W	10

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: Same AS 5171-3 Towline: _____ Center Pivot: _____ Gun: _____ Other: _____ (Specify)
9. Crops to be Irrigated: Same AS 5171-3
10. Give a description of proposed project. (Attach sheet if more space is needed) about 0.18 cfs will come from the backflush lagoons owned by R.C.W.D. The remaining portion (0.36 cfs) will come from the River. See attached map & letter from SDSU water quality lab.

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

STATE OF SOUTH DAKOTA)
County of Chas Mix)^{ss}

I, Lyle Wilk ABEREE, 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 Lyle Wilk ABEREE
Subscribed and sworn to before me this 28th day of September 1990
Robert C. Steinhilber
Notary Public

**SOUTH DAKOTA
WATER PERMIT No. 5171A-3 FOR IRRIGATION**

Date of first receipt of application October 1, 1990.

Date Soil/Water Compatibility Permit received November 14, 1990.

The Water Management Board approved Water Permit Application No. 5171A-3 on December 5, 1990 for Ft. Randall Recreation, Inc., P.O. Box 670, Lake Andes, SD 57356 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5171A-3 authorizes an additional diversion point to Water Permit No. 5171-3. Water Permit No. 5171-3 appropriates 0.54 cubic feet of water per second to irrigate 38 acres located in the E1/2 SE1/4 Section 4, W1/2 SW1/4 Section 3; all in T95N, R65W. Water is pumped from the Missouri River in the NW1/4 SW1/4 to a dugout (regulating pond) in the SE1/4 SE1/4; both in Section 4 T95N, R65W. This Permit is to add an additional diversion point from the backflush lagoon of Randall Community Water District located in the NE1/4 SE1/4 Section 4 T95N, R65W. The water from this lagoon originates from the Missouri River and is to be pumped to the dugout authorized by Water Permit No. 5171-3. No increase in diversion rate or acres irrigated are authorized by this Permit.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: June 1 - August 31.
3. The date from which applicant may claim right is December 10, 1987. (established by Water Permit No. 5171-3)
4. One-fifth of the construction is to be completed on or before June 5, 1993.
5. All construction is to be completed on or before December 5, 1995.
6. Water is to be put to beneficial use on or before December 5, 1999.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

John H. H. H.
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

MAR 25 1991

(date)

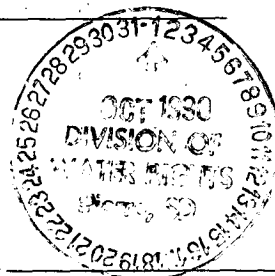
Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

1. Well Information - Proposed

- a) Drill Hole Diameter _____ Depth _____
- 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) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____



2. Dugout Information Estimates

- a) Surface Dimensions 400 X 500 Depth 6'
- b) Depth to water (ground surface to water level) 1 ft from top of berm on system

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 _____

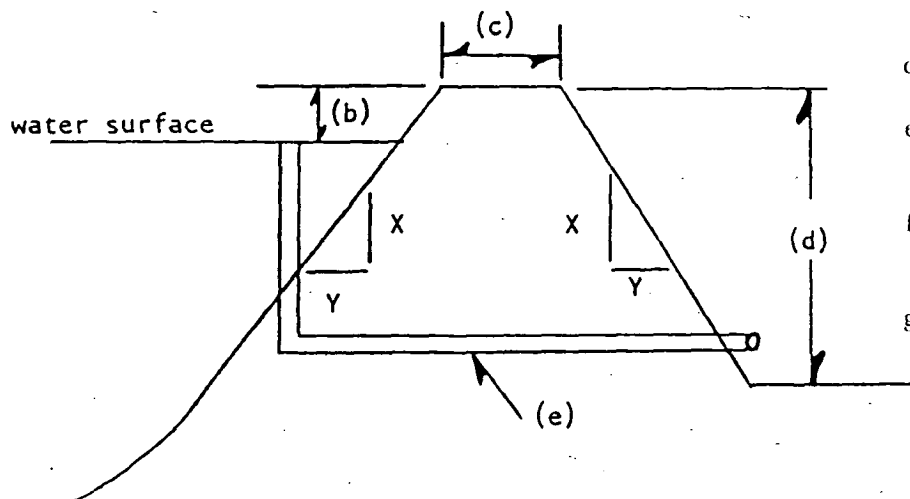
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Left M. Lohrke
Signature of Applicant

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412381

Pierre, October 3, 1990

RECEIVED OF Ft. Randall Recreation Inc, Box 568, Lake Andes, SD 57356

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

Fee for Application for Permit No. <u>5171A-3</u> to Appropriate Water, to construct works 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 _____		
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	50	00

By

John H. Kitch
Chief Engineer

NOT TO SCALE

96-65

(78-R)

water

2.6

3.4?

Additional
Diversion

x Original Diversion

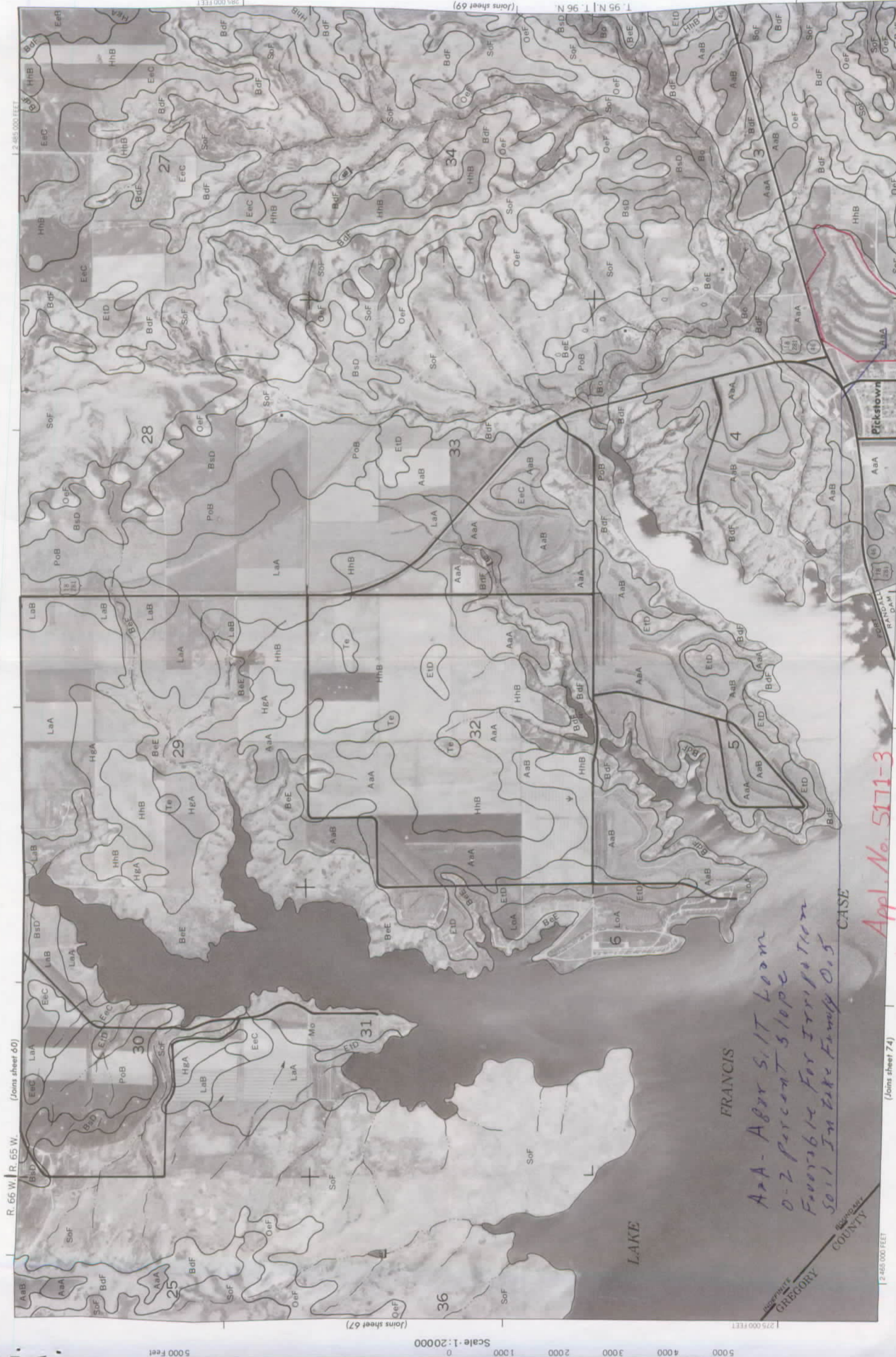
95-65

Regulating
Reservoir

Left to: Lefine
Morgan SMWOB

5477-3
5171A-3





A2A - Approx 5.17 Loom
0-2 percent slope
Favorable for Irrigation
Soil In the Family 0.5

CASE

Appl. No. 5171-3

(Joins sheet 74)

(Joins sheet 67)

(Joins sheet 69)

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4538

WR#

OWNERS NAME: FT. RANDALL RECREATION OWNERS ADDRESS: BOX 670
c/o LYLE LABEREE LAKE ANDES, SD 57356-0670

COUNTY LAND LOCATED IN: CHARLES MIX PHONE: 487-7223

LEGAL DESCRIPTION:

☐ Well

☒ Surface

1. LOCATION: NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4-T95N-R65W
Depth: Missouri River, Lagoon

Legal Description	Acres	Legal Description	Acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4-T95N-R65W	2		
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 3-T95N-R65W	3		
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 4-T95N-R65W	23		
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3-T95N-R65W	10		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: (Specify) SPRINKLER
3. CROPS TO BE IRRIGATED: Kentucky Blue Grass Fairways & Bent Grass Greens

WATER QUALITY:

4. WATER SAMPLE NUMBER: Missouri River and Lagoon 7. ADJUSTED (SAR): 6.30
5. SALINITY (EC X 10⁶): 900 8. PERCENT SODIUM: 50.69
6. SODIUM (SAR): 3.22

Requirements:

The maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 inches of the soil profile) at the beginning of the growing season apply. They become applicable upon the issuing of a soil-water compatibility permit by the Division, or the Commission.



[Signature]
Director, Division of Conservation

XXX APPROVED
 DISAPPROVED
 WAIVER
XXX REQUIREMENTS

OCTOBER 23, 1990
Date

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



August 21, 1990

South Dakota State University
Brookings, South Dakota 57007

Water Resources Research Institute
Telephone 605-688-4910

Ft. Randall Recreation
c/o Lyle Laboree
Box 670
Lake Andes, SD 57356

Dear Mr. Laboree:

Enclosed is a copy of the analysis of your water sample which you submitted to us for testing. We have identified the source of your water as taken from a dugout located in the NE 1/4 of the SE 1/4 of Section 04 T096N R65W. We have assigned it lab number 90-1104.

Your water, as represented by this sample, is classified as a "high salinity, low sodium hazard" for irrigation usage. The main ions in this water are sodium (Na) and sulfate (SO_4). I have plotted your approximate water quality in red on the outside back cover of the enclosed pamphlet (AES 13). The range in the sodium hazard from 3.22 to 6.30 is dependent upon the leaching fraction that may result if irrigation water is applied. The higher sodium hazard is associated with no leaching, and the lower sodium hazard is associated with normal leaching fractions (0.03-0.05). The leaching fraction is defined as the amount of water lost below the root zone annually divided by the total amount received into the soil profile.

This water can be used for irrigation purposes for most normal soils which have adequate internal drainage. This means that if the water table is greater than 10 feet below ground surface the majority of the year and there are no tight impermeable layers within the root zone which may create a perched water table, the salts (ions) that do exist in the water will be able to be leached downward below the root zone where they do little or no harm to growing crops. The probability for soil salinization from this water is low when used on soils with good subsurface drainage.

By mixing one part of this water with two parts of Missouri River water, you should encounter little to no problem with restricted crop growth.

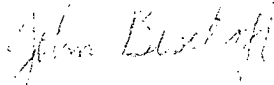
The boron level for this water (0.20 ppm) poses a low toxicity level for most normal crops in this area. I have enclosed a sheet that tells the boron toxicity levels for major crops.

I am forwarding a copy of this letter and water analysis to the Division of Conservation in Pierre for their information and/or action.



If you have further questions regarding this water analysis, please do not hesitate to call or write.

Sincerely,



John H. Bischoff, Research Engineer
Water Resources Institute

Enclosures

cc: Division of Conservation



**Report on Water Permit Application No. 5171A-3
Ft. Randall Recreation, Inc.
October 10, 1990**

Background

Water Permit Application No. 5171A-3 requests authorization of an additional diversion point to Water Permit No. 5171-3. Water Permit No. 5171-3 is authorized to divert 0.54 cubic feet of water per second (cfs) from the Missouri River. The water is pumped into a dugout located in the SE1/4 SE1/4 Section 4, T95N-R65W. The diversion point is located in the NW1/4 SW1/4 Section T95N-R65W, in Charles Mix County. The water is used to irrigate 38 acres located in the E1/2 SE1/4 Section 4 and W1/2 SW1/4 Section 3, T95N-R65W. This application is to add an additional diversion point located in the NE1/4 SE1/4 Section 4, T95N-R65W. The source of water is from the backflush lagoons of Randall Community Water District. The water from these lagoons originates from the Missouri River. This water will then be pumped into the dugout authorized under Water Permit No. 5171-3. No increase in diversion rate or acreage is requested by this application.

Discussion

Water Permit No. 5171-3 was approved at the March 3, 1988 Water Management Board meeting. According to the applicant, approximately 0.18 cfs, authorized under this permit, will be diverted from the backflush lagoons. The remaining portion of the water authorized under Permit No. 5171-3 (0.36cfs) will be diverted from the river.

Conclusions and Recommendations

1. No increase in diversion rate or acreage is authorized under this application.
2. Approval of Water Permit Application No. 5171A-3 is in the public interest and constitutes a beneficial use of the waters of the state.
3. If Water Permit Application No. 5171A-3 is approved it should include the irrigation questionnaire qualification.



M. RASSOOL AHADI
Natural Resources Engineer II

Approved By:



DELVIN D. BROSZ, P.E.
Natural Resources Engineer IV

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5171A-3, Ft. Randall Recreation, 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. 5171A-3, Ft. Randall Recreation, Inc., P.O. Box 670, Lake Andes SD.

The Chief Engineer is recommending APPROVAL of Application No. 5171A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualification:

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer
October 25, 1990

NOTE: This recommendation was prepared prior to receiving an approved Soil/Water Compatibility Application (SWCA) from the Department of Agriculture in order to avoid delaying Application No. 5171A-3 until the February Water Management Board meeting. Pursuant to General Rule 74:02:01:09, an approved SWCA must be received prior to a hearing being held on a water permit application. If your approved SWCA is not received prior to the December hearing, then Application No. 5171A-3 will need to be rescheduled for a later hearing date. Approval of the SWCA by the Department of Agriculture is also subject to review by the Conservation Commission. This note is to advise you that authorizing publication of the enclosed notice of hearing may **NOT** result in a hearing at the December Water Management Board meeting due to the above described circumstances. In addition, once the application is advertised for hearing, the cost of publication will be an expense incurred if the SWCA is denied by the Department of Agriculture.

Instruction to Newspaper - Publish first Notice on or before November 8, 1990 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5171A-3
to Amend Water Permit No. 5171-3

Notice is given that Ft. Randall Recreation, Inc., P.O. Box 670, Lake Andes SD 57356 has filed an application for a water permit to authorize an additional diversion point to Water Permit No. 5171-3. Water Permit No. 5171-3 appropriates 0.54 cubic feet of water per second to irrigate 38 acres located in the E1/2 SE1/4, Section 4, W1/2 SW1/4 Section 3; all in T95N-R65W. Water is pumped from the Missouri River in the NW1/4 SW1/4 to a dugout (regulating pond) in the SE1/4 SE1/4; both in Section 4 T95N-R65W. This application is to add an additional diversion point from the backflush lagoon of Randall Community Water District located in the NE1/4 SE1/4 Section 4 T95N-R65W. The water from this lagoon originates from the Missouri River and is to be pumped to the dugout authorized under Water Permit No. 5171-3. No increase in diversion rate or acres irrigated are authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5171A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposing the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 26, 1990. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Chief Engineer will act on this application in accordance with the above recommendation and no hearing will be held if the applicant does not contest the Chief Engineer's recommendation and no petition is filed opposing the application. If the applicant contests the recommendation or an interested person opposes the application, then the application will be considered by the Water Management Board. Petitions filed in support of the application will not require the Board to hear the application. The Board may conduct a hearing no sooner than 10:00 am, on December 5, 1990 at the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City SD and the hearing may be rescheduled for a later date. If the hearing is rescheduled, notice will be given of the time and place. The above hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 26, 1990.

The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. This hearing is an adversary proceeding. Any person filing a petition opposing the application and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Charles Mix) ss.

I, Pamela Wells

certify that the attached printed Notice was taken
from the Lake Andes Wave

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 Lake Andes, S.D.

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

Nov. 6, 1990

Nov. 13, 1990

Pamela Wells
(Signature)

Publisher
(Title)

11-14-90
(Date Signed)

Cost of Printing: \$62.05

**NOTICE OF HEARING on Application No. 5171A-3
to Amend Water Permit No. 5171-3**

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5171A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposing the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 26, 1990. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Chief Engineer will act on this application in accordance with the above recommendation and no hearing will be held if the applicant does not contest the Chief Engineer's recommendation and no petition is filed opposing the application. If the applicant contests the recommendation or an interested person opposes the application, then the application will be considered by the Water Management Board. Petitions filed in support of the application will not require the Board to hear the application. The Board may conduct a hearing no sooner than 10:00 am, on December 5, 1990 at the Hilton Inn, Deerfield Room, 445 Mt. Rushmore Road, Rapid City SD and the hearing may be rescheduled for a later date. If the hearing is rescheduled, notice will be given of the time and place. The above hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 26, 1990.

The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. This hearing is an adversary proceeding. Any person filing a petition opposing the application and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

South Dakota



GREAT FACES. GREAT PLACES.

MAR 25 1991

DEPARTMENT OF WATER & NATURAL RESOURCES

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

Lyle Laberee
Ft. Randall Recreation, Inc.
PO Box 670
Lake Andes, SD 57356

Dear Mr. Laberee:

Enclosed is Water Permit No. 5171A-3 For Irrigation as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

REPORT ON INSPECTION OF PERMIT NO. 5171A-3

DATE: April 29, 1993

Other permit(s) associated with the project:

DIVERSION POINT LEGAL LOCATION:

725 feet S and 2245 feet E from the center of Section 4 T95N-R65W (NE1/4 SE1/4).

Pump:

- 1) Make Western Land Roller
- 2) Model C7746
- 3) Capacity 250 GPM

Motor:

- 1) Make U.S. Electrical
- 2) Model No. 326TPWPI
- 3) Horsepower rating 50 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type PVC
- 2) Size 8 inches
- 3) Length feet

SYSTEM TYPE:

Portable impact sprinklers

CHEMIGATION EQUIPMENT:

- 1) Does chemigate N

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

Permit No. 5171A-3
Missouri River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DENR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by **Ft. Randall Recreation, Inc.** of **Box 568, Lake Andes, SD 57356** holder of Permit No. **5171A-3**, bearing the priority of **December 10, 1987** authorizing the diversion of **0.54** cu. ft. per second for **irrigation** purposes, in **Charles Mix** County.

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

A. Works used to divert the water:

100 GPM submersible pump at the lagoon and a 50 HP U.S. Electrical Motor at the dugout

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

8" PVC

C. Works used to apply water to beneficial use:

Western Land Roller irrigation system

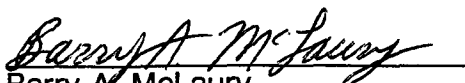
The system is in the following condition **good**. The point of diversion is located **725 feet S and 2245 feet E from the center of Section 4 T95N-R65W (NE1/4 SE1/4)**. The works are capable of diverting and conveying to the place of use **0.54** cu. ft. per second of water and/or storing acre-feet of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

T95N-R65W	Section 4	NE1/4 SE1/4	2 acres
		SE1/4 SE1/4	23 acres
	Section 3	NW1/4 SW1/4	3 acres
		SW1/4 SW1/4	10 acres
		Total	38 Acres

comprising a total of **38** acres of land and the license should be issued for **0.54** cfs.

Applicable permit qualifications have been complied with: Yes **X** No

Exceptions to compliance are: **None** Date: **4-29-93**


 Barry A. McLaury

Natural Resources Analyst
 DENR, Water Rights Division

[illegible]

5171A-3

NOT TO SCALE

96-65

(78-R)

water

2.6

3.4

y

y

y

4

725'

2245'

Diversion point

1000 ft
Submers.

95-65

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5171A-3 FOR IRRIGATION

(1) Ft. Randall Recreation, Inc. of Box 568, Lake Andes SD 57356 made Application No. 5171A-3, October 1, 1990 for a water permit irrigate lands authorized by Water Permit No. 5171-3 from a backflush lagoon, Charles Mix County, South Dakota for irrigation purposes. Permit No. 5171A-3, with a priority date of December 10, 1987 was approved December 5, 1990 and issued to the applicants for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 5171A-3 authorizes an additional point of diversion from the backflush lagoon of Randall Community Water District to irrigate land authorized by Water Permit No. 5171-3. No. 5171A-3 did not allow for an increase in the developed diversion rate or number of acres being irrigated.

The applicable portions of No. 5171-3 have been incorporated into this Water License No. 5171A-3.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.54 cubic feet of water per second for beneficial use. The location of the diversion point is 725 feet S and 2245 feet E from the center of Section 4-T95N-R65W (NE 1/4 SE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T95N-R65W	Section 4	NE 1/4 SE 1/4	2 acres
		SE 1/4 SE 1/4	23 acres
	Section 3	NW 1/4 SW 1/4	3 acres
		SW 1/4 SW 1/4	10 acres
		Total	38 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Ft. Randall Recreation, Inc. of PO Box 568, Lake Andes SD 57356 the holders and/or owners of Incorporated Water Permit No. 5171A-3 is issued a license to appropriate water, the right to use 0.54 cubic feet of water per second from a backflush lagoon with a priority date of December 10, 1987 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5171A-3 and subject to South Dakota State Law.



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

NOV 14 1994 .

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 8, 1994

Permit No. 5171A-3

Lyle Laberee
Ft. Randall Recreation, Inc.
P.O. Box 568
Lake Andes, SD 57356

Dear Mr. Laberee:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 5171-3 and 5171A-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 5171-3 will be incorporated into 5171A-3.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please Remit fee to:
Department of Environment & Natural Resources
Water Rights Division
523 E. Capitol
Pierre, SD 57501-3181

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

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

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

414276

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ September 19, 19 94

RECEIVED OF Ft. Randall Recreation, Inc., Box 568, Lake Andes, SD 57356

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. <u>5171A-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John W. Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 14 1994

5171A-3

Lyle Laberee
Ft. Randall Recreation, Inc.
P.O. Box 568
Lake Andes, SD 57356

Dear Mr. Laberee:

Enclosed is Water License No. 5171A-3 and Receipt No. 414276 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 5171A-3 is the final document which completes the process of obtaining a water right.

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

Very truly yours,

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

rd
enclosures

NOTE: The applicable portions of No. 5171-3 have been incorporated into this Water License No. 5171A-3.



5171A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 1999

NOTICE

TO: FT RANDALL RECREATION, INC, PO BOX 227, PICKSTOWN, SD 57367 0227

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5171A-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5171A-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 3, 1999 in 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 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) 5171A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
FT RANDALL RECREATION, INC
PO BOX 227
PICKSTOWN SD 57367 0227

4a. Article Number
2119141559

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
1-29-99

5. Received By: (Print Name)
Tom Cronoy

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)
X [Signature]

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 22, 1999

Chad Peters, President
Randall Hills Country Club
PO Box 227
Pickstown, SD 57367-0227

RE: Water Right No. 5171A-3, Ft. Randall Recreation, Inc

Dear Mr. Peters:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 5171A-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



3171A-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: FT RANDALL RECREATION, INC, CHAD PETERS, PRESIDENT, PO BOX 227,
PICKSTOWN, SD 57367 0227

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5171A-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5171A-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 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 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) 5171A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 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 at (605) 773-3352.

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

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

FT RANDALL RECREATION, INC
CHAD PETERS, PRESIDENT
PO BOX 227
PICKSTOWN SD 57367 0227

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature

X *Charles Hedlund*☐ Agent
☐ AddresseeD. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

2 227 670 454

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 2000

5171A-3

Ft Randall Recreation Inc
PO Box 227
Pickstown, SD 57367-0227

Dear Sir:

I am writing to acknowledge receipt of your 1999 irrigation questionnaire. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Right No. 5171A-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