

Considered: _____

WATER PERMIT NO. 5315-3

MAP No. same 665-7081

Name of Applicant Hillcrest Golf and Country Club

Post Office Address 2206 Mulberry, Yankton SD 57078

Amount of Water Claimed 1.39 cfs Total Acres 140

Source of Water Supply Well - ground water

Water to be used for irrigation County Yankton

About North miles edge of Yankton.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Apr. 6, 1989 Fee _____ Remarks _____

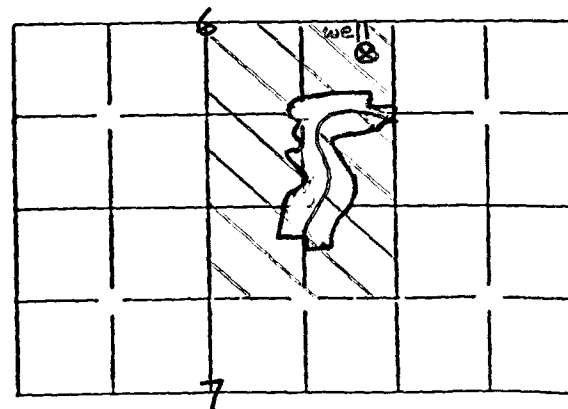
Corrected Application Received _____ Period of Annual Use May 1 - Sept 30

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

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

Diversion Point well: NE $\frac{1}{4}$ SE $\frac{1}{4}$ section 6 -
T93N-R55W

Land to be Irrigated SE $\frac{1}{4}$ section 6; N $\frac{1}{2}$ NE $\frac{1}{4}$
section 7; all in T93N-R55W



Well Log: Driller Christensen Well Co Licensed YES ☒ NO _____

Depth of Well ~ 90 feet deep REMARKS _____

Type of Map plat PREPARED BY Eugene Hoag Reviewed and the Number
assigned on April 7, 1989 By Ron D. Small

(See instructions)

No.	<u>5315-3</u>	Hydrologic Unit	<u>10170101</u>
Basin	<u>Missouri River</u>		
Newspaper	<u>Yankton Daily Press + Dakotan</u>		



Application For Soil/Water Compatibility Permit and Permit To appropriate 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 Hillcrest Golf & Country Club Phone No. (605) 665-7081
- Post Office Address 2206 Mulberry Yankton State South Dakota Zip Code 57078
(Street, RR or Box) (City)
- Amount of water claimed (c.f.s) 400-500 GPM Total acres irrigated approximately 140 acres
- Source of Water supply Deep well
- Location of point of diversion From the S.E. corner of Sec. 6-93-55, North 2020 feet, then West 300 feet.
- Counties where water will be used Yankton
- Annual period during which water is to be used May through September
- 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.
See attached Exhibit "A"	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

- Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: pop up
(Specify) sprinkler heads
- Crops to be Irrigated: Blue grass
- Give a description of proposed project. (Attach sheet if more-space is needed)
Drill test well
Submit log and water samples
Drill 400-500 GPM well approximately 5-15-89 after receipt of permit
Complete pump and hook up to existing irrigation lines.

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 _____)

I, _____, 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 _____

Subscribed and sworn to before me this _____ day of _____ 19____

Exhibit "A"

LEGAL DESCRIPTION OF HILLCREST GOLF & COUNTRY CLUB

1. The North Half of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4), Section Seven (7), Township Ninety-Three (93), Range Fifty-Five (55), except that portion of Outlot Two (2) of Hillcrest East Addition to the City of Yankton, as shown by the plat of the Hillcrest East Addition to the City of Yankton, South Dakota, as filed in the office of the Yankton County Register of Deeds at Book S11, Page 51, on August 10, 1983, at 3:30 P.M., consisting of approximately 20 acres.
2. The Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), Section Six (6), Township Ninety-Three (93), Range Fifty-Five (55), except that part of Hillcrest East Addition located therein as shown by the plat of Hillcrest East Addition to the City of Yankton, South Dakota, as filed in the office of the Yankton County Register of Deeds at Book S11, Page 51, on August 10, 1983, at 3:30 P.M., consisting of approximately 40 acres.
3. The Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4), Section Six (6), Township Ninety-Three (93), Range Fifty-Five (55), except that portion of Hillcrest East Addition located therein as shown by the plat of the Hillcrest East Addition to the City of Yankton, South Dakota, as filed in the office of the Yankton County Register of Deeds at Book S11, Page 51, on August 10, 1983, at 3:30 P.M., consisting of approximately 40 acres.
4. The Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) Section Six (6), Township Ninety-Three (93), Range Fifty-Five (55), except Parcel A located therein and except that part of Hillcrest East Addition located therein as shown by the plat of the Hillcrest East Addition to the City of Yankton, South Dakota, as filed in the office of the Yankton County Register of Deeds at Book S11, Page 51, on August 10, 1983, at 3:30 P.M., consisting of approximately 25 acres.
5. Outlot One (1) and Outlot Three (3) of Hillcrest East Addition to the City of Yankton, as shown by the plat of the Hillcrest East Addition to the City of Yankton, South Dakota, as filed in the office of the Yankton County Register of Deeds at Book S11, Page 51, on August 10, 1983, at 3:30 P.M., consisting of approximately 15 acres.



SOUTH DAKOTA
WATER PERMIT No. 5315-3 FOR IRRIGATION

Date of first receipt of application April 7, 1989.

Date Soil/Water Compatibility Permit received April 14, 1989.

Date of return to applicant for required corrections, amendments or changes April 10, 1989.

Date of receipt of corrected application April 17, 1989.

The Water Management Board approved Water Permit Application No. 5315-3 on May 10, 1989 for Hillcrest Golf & Country Club, 2206 Mulberry, Yankton, South Dakota 57078 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. 5315-3 appropriates 1.11 cubic feet of water per second (cfs) from one proposed well (Lower James: Missouri) approximately 90 feet deep and appropriates 0.22 cfs from one existing well, 60 feet deep, to irrigate 140 acres of the Hillcrest Golf and Country Club. The well is to be located in the NE1/4 SE1/4 and the existing well is located in the NW1/4 SE1/4; both in Section 6-T93N-R55W. The acreage to be irrigated is located in the SE1/4 Section 6; N1/2 NE1/4 Section 7; all in T93N-R55W. Water Right No. 512-3 authorizes irrigation of 60 acres of the 140 total acres from an existing well located in the SW1/4 SE1/4 Section 6-T93N-R55W. Water from the existing well is diverted to the irrigated acreage via 2 dugouts in the SE1/4 Section 6-T93N-R55W. This permit also authorizes irrigation of the additional 80 acres from the existing well described on Water Right No. 512-3. The combined diversion rate from the wells authorized by this application and the well authorized by Water Right No. 512-3 may not exceed 1.78 cfs for irrigation of 140 acres.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second 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: May 1 to September 30.
3. The date from which applicant may claim right is April 7, 1989.
4. One-fifth of the construction is to be completed on or before November 10, 1991.
5. All construction is to be completed on or before May 10, 1994.
6. Water is to be put to beneficial use on or before May 10, 1998.
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) The wells authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.

- 2) The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- 3) This permit is approved subject to the irrigation water use questionnaire being submitted each year.
- 4) Approval of Permit No. 5315-3 authorizes construction of two dugouts - Pond A with a capacity of 8.4 acre-feet and Pond B with a capacity of 7.4 acre-feet, and a maximum diversion rate from the ponds for irrigation of 1.78 cfs.

WATER MANAGEMENT BOARD

By: _____

Chief Engineer, Water Rights Division
Department of Water and Natural Resources

SEP 12 1989

(date)

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 20" Depth 100' (est)
- b) Casing Type PVC Diameter 15" Thickness $\frac{1}{4}"$
- c) Screen Type PVC (slotted) Diameter 15" Thickness $\frac{1}{4}"$
- d) Gravel Pack Thickness 3" Length of Gravel Pack 30'
- e) Depth to Top of Water Bearing Material 60-70
- f) Depth to Water (ground surface to water level) 40
- g) Distance to nearest existing domestic well:
- On applicants property 600 yards On property owned by others 500 yards

2. Dugout Information Estimates

- a) Surface Dimensions Pond A: 61,200 sq. feet Pond A: 6 feet
Pond B: 27,000 sq. feet Pond B: 12 feet
- b) Depth to water (ground surface to water level) Not connected to underground water

3. Water Storage Dams

If the proposed water use system contains one or more storage dams,
 The locations of each dam should be shown on the map submitted

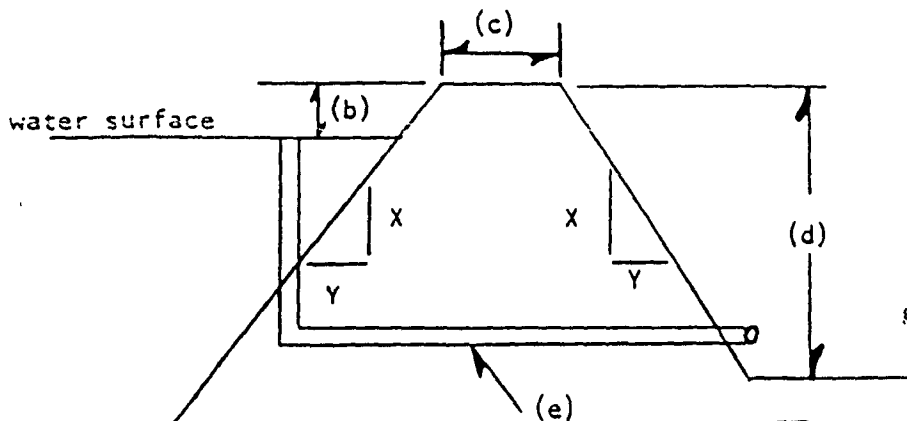
- a) If a private engineering firm or government agency was involved
 and address
- _____
- _____

Pond A

$$\frac{61,200 \times 6}{43,560} = 8.4 \text{ A.F.}$$

Pond B

$$\frac{27,000 \times 12}{43,560} = 7.4 \text{ AF}$$



- f) Secondary Spillway Capacity _____
 Spillway width _____

- g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____

Hillcrest Golf & Country Club
 By: Thomas J. Cimak
 Signature of Applicant Thomas J. Cimak
Its: President





Department of Water & Natural Resources

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

April 10, 1989

Steven L Pier, attorney
301 Capitol
Yankton SD 57078

Dear Mr. Pier:

This letter is in response to the water permit application received on April 7, 1989 for the Hillcrest Golf and Country Club. The following information is needed to complete the application:

- 1) The application fee to irrigate 80 additional acres is \$225.00. Enclosed is the check for \$250.00. Please remit the correct application fee.
- 2) Darvin Polsean, grounds keeper, indicated via phone on April 7, that two existing wells (60 feet deep) are used for irrigation. The enclosed map shows the location of one of the existing wells and the proposed well location. Please have the other existing well marked on this map and return the map. Mr. Polsean also indicated that water from the two existing wells is diverted to two dugouts. The dugouts also need to be located on the enclosed map. The size of the dugouts should also be included on the enclosed Form 2A's and then returned to the Division of Water Rights.

A copy of the permit application has been forwarded to the Department of Agriculture for consideration of the soil/water compatibility application. The water permit application can not be considered by the Water Management Board until the soil/water compatibility application is approved and until the above information and application fee has been received and reviewed.

Please contact me if you have any questions.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 17, 1989

RECEIVED OF Hillcrest Golf & Country Club, 2206 Hillberry, Yankton, SD 57078

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

Fee for Application for Permit No. <u>5315-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	225	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	225 00

By John [Signature]
Chief Engineer

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4369

WR#

OWNERS NAME: Hillcrest Golf & Country Club OWNERS ADDRESS: 2206 Mulberry
Yankton, SD 57078

COUNTY LAND LOCATED IN: Yankton PHONE: 665-7081

LEGAL DESCRIPTION:



Well



Surface

1. LOCATION From SE corner of Sec. 6-T93N-R55W, north 2020 ft. then west 300ft. (NE 1/4 SE 1/4)
Depth (2 existing wells=NW 1/4 SE 1/4; SW 1/4 SE 1/4; both of Sec. 6-T93N-R55W)

Legal Description	Acres	Legal Description	Acres
<u>see attached</u>			
TOTAL ACRES =			140

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: pop up sprinkler heads
(Specify) _____

3. CROPS TO BE IRRIGATED: blue grass

WATER QUALITY:

4. WATER SAMPLE NUMBER: 89-0141 7. ADJUSTED (SAR): 1.36
5. SALINITY (EC X 10⁶): 2050 8. PERCENT SODIUM: 6.72
6. SODIUM (SAR): 0.49

Requirements: The area mapped as Chancellor silty clay loam (Ca) is subject to a seasonal high water table, which may inhibit the leaching of salts. This area may be addressed by the use of an intensive water management plan or an artificial drainage system, i.e. tile drainage.

Please be advised that we do not consider the Swampbuster Provision in developing our recommendation and recommend that you contact your local conservation district before undertaking any drainage projects.



[Signature]
Director, Division of Conservation

Date 4/12/89

☒

APPROVED

DISAPPROVED

WAIVER

☒

REQUIREMENTS

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



Department of Agriculture

DIVISION OF CONSERVATION
Anderson Building, 445 East Capitol
Pierre, South Dakota 57501-3188
Phone 605-773-3258



April 11, 1989

Hillcrest Golf & Country Club
2206 Mulberry
Yankton, SD 57078

Dear Sirs:

In reviewing your soil and water compatibility application for the 140 acres described on the attached sheet, the irrigation staff is recommending approval with requirements of your application to the State Conservation Commission at their May 11, 1989 meeting. The approved with requirements recommendation is based on the water quality and the clay contents of the soils in the area.

The Requirements and Management Recommendations are as follows:

REQUIREMENTS:

The area mapped as Chancellor silty clay loam (Ca) is subject to a seasonal high water table, which may inhibit the leaching of salts. This area may be addressed by the use of an intensive water management plan or an artificial drainage system, ie. tile drainage.

Please be advised that we do not consider the Swampbuster Provision in developing our recommendation and recommend that you contact your local conservation district before undertaking any drainage project.

MANAGEMENT RECOMMENDATIONS:

We recommend using caution when using any fertilizers or chemicals on the golf course.

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.

Sincerely,

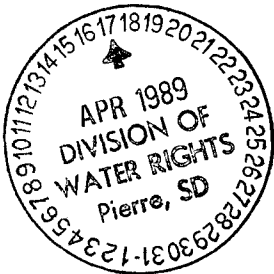
Jim Stukel
Natural Resource Program Scientist

JLS:cls

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DOYLE, KENNEDY & PIER

LAWYERS

322 WALNUT STREET
P.O. BOX 37
YANKTON, SOUTH DAKOTA 57078
605-665-3000

CRAIG A. KENNEDY

STEVEN L. PIER

April 14, 1989

JAMES E. DOYLE
(1928 - 1988)

DELVIN N. J. WELTER
(1927 - 1983)

SD Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Attention: Ron Duvall

RE: Water Permit Application of
Hillcrest Golf & Country Club

Dear Mr. Duvall:

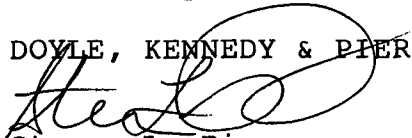
Enclosed please find a check from Hillcrest Golf & Country Club for \$225.00 as the correct application fee pursuant to your letter of April 10, 1989. Also please find Form 2A which I am returning to you with the information regarding the surface dimensions and depths of the ponds that are used to store water on the golf course. Finally, I enclose the map of the Country Club property showing the third well and the approximate locations of the two ponds referred to above. I believe this covers all the concerns you had noted in your letter of April 10, 1989.

I also enclose a copy of a letter received from Jim Stukel, Natural Resource Program Specialist of the Department of Agriculture, wherein he states the irrigation staff is recommending approval of our application. With the receipt of this approval letter, I believe all prerequisites to consideration by the Water Management Board have been met. If this is not the case, please contact me immediately.

I request that if there are any objections received by your department regarding the application that you notify me on behalf of Hillcrest Golf & Country Club immediately. Otherwise, we will assume that no objections have been received and the application will be acted on without objection by the Water Resources Board.

Yours very truly,

DOYLE, KENNEDY & PIER


Steven L. Pier

SLP:smd

Enclosures: Check #25572 for \$225.00
Form 2A
4-11-89 letter from Jim Stukel (copy)

cc: Tom Cihak

Conversation or File Documentation

NAME OF PERSON OR FILE: Hillcrest Golf and Country ClubADDRESS: 2206 Mulberry, Yankton SD COUNTY YanktonDATE: April 7, 1989 TELEPHONE _____RE: permit application for golf course irrigation

COMMENTS:

Phone conversation with Darwin Polsean, grounds-keeper

Contacted Darwin Polsean regarding Application
No. 5315-3. Mr. Polsean indicated that two wells
were currently used to irrigate. One well (200gpm)
was authorized by Water Right No. 512-3 and the
other well (100 gpm) was not included on any permit.
Mr. Polsean also indicated that the two wells
were pumped to two dugouts and then water was
diverted to the golf course. I informed Mr.
Polsean that the unpermitted well and the 2
dugouts should be included on this application.
Mr. Polsean instructed me to make the necessary
changes.

The combined diversion rate from the existing
2 wells and the proposed well is $100 + 200 + 500$
 $\text{gpm} = 800 \text{ gpm}$ (1.78 cfs) to irrigate 140 acres

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: Ron D. [Signature]

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location 1/4 1/4 Sec 31 Twp 94N Rg 66W

County YANKTON

Please mark well location with an "X" Should be NE 1/4 W
SE 1/4 of Sec. 6

T93-R55. RF

1 mile

Well Completion Date 10-18-89

[illegible]

PROPOSED USE:

☐ Domestic	☐ Municipal	☐ Test Holes
☒ Irrigation	☐ Industrial	☐ Stock

Method of Drilling:

ROTARY

CASING DATA:
☐ Steel ☒ Plastic ☐ Other
 If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	<u>12</u> IN	<u>0</u> FT	<u>118</u> FT	<u>18</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NO

To what depth? 20' FEET

What is grouting material? cement

If cement, number of sacks? 12

Describe grouting procedure pouring concrete pipe
20 - 68 in. diameter

What was grout weight? 15.5 LB/GAL

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter 12 IN Length 40 FEET

Material PVC

Slot Size 100 Set From 78 Feet To 118 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NO
Explain cellar 200 ppm
Bacteriological analysis ☐ YES ☒ NO
Laboratory sent to _____

STATIC WATER LEVEL 36 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped _____

☐ Bailed Describe: _____

☐ Other _____

Pumping Level Below Land Surface

4 ft. After _____ Hrs. pumped _____ GPM

56 ft. After 5 Hrs. pumped 560 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 341

And this report is true and accurate.

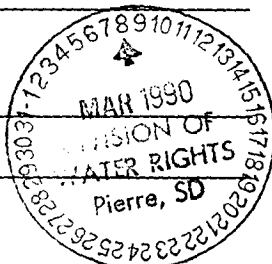
Drilling firm Wetmore Drilling

Signature of License Representative:
James Wetmore

Signature of Well Owner:

Date _____

93037-123456789101112131415161718
MAR 1990
DIVISION OF
WATER RIGHTS



SOUTH DAKOTA WATER WELL COMPLETION REPORT

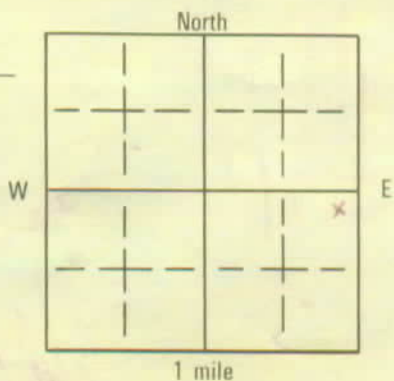
10-85

Location NE 1/4 SE 1/4 Sec 10 Twp 93 Rg 55

County

Yankton

Please mark well location with an "X"

Well Completion Date 1989

PROPOSED USE:

☐ Domestic ☐ Municipal ☒ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

STRAIGHT ROTARY

CASING DATA:

☐ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☐ YES ☐ NO

To what depth? _____ FEET

What is grouting material? _____

If cement, number of sacks? _____

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☐ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

Well Owner: XName Hillcrest Golf and Country ClubAddress 2206 Mulberry, Yankton, SD 57078

Well Log:

Depth

Formation

From

To

TOP SOIL TO YELLOW CLAY	0	18
COURSE GRAVEL + ROCKS	19	27
FINE GRAVEL	27	90

STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped☐ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

TEST HOLE ONLY
FOR PERMIT TO DRILL
IRRIGATION WELL

This well was drilled under license # 444

And this report is true and accurate.

Drilling firm CHRISTENSEN WELL CO.

Signature of License Representative:

William J. ChristensenSignature of Well Owner: XHillcrest Golf & Country ClubBy: Th J ChildTHOMAS J. CHILD, ITS PRESIDENT

Date

APRIL 5 1989

SURVEYOR'S CERTIFICATE

I, PETER S. JOHNSON, REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR, HAVE, AT THE DIRECTION OF L.E. WELFL AND JAMES F. TRAMP DOING BUSINESS AS T&W DEVELOPMENT, A PARTNERSHIP, AND J.W. HUBNER & DONALD D. COUCH, PRESIDENT & SECRETARY RESPECTIVELY OF HILLCREST GOLF & COUNTRY CLUB, A CORPORATION, MADE A SURVEY OF A TRACT OF LAND IN ALL OR PORTIONS OF THE SE $\frac{1}{4}$, SECTION 6-93-55; IN THE NE $\frac{1}{4}$ OF THE NE $\frac{1}{4}$, SECTION 7-93-55; AND IN THE N $\frac{1}{2}$ OF THE NW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$, SECTION 7-93-55 IN THE CITY OF YANKTON, SOUTH DAKOTA.

I HAVE SUBDIVIDED AND PLATTED SAID TRACT INTO BLOCKS, LOTS, TRACTS, OUTLOTS AND ADDITION WHICH SHALL HEREAFTER BE KNOWN AS FOLLOWS:

- 1) TRACT A AND LOTS 4 THRU 11 OF BLOCK 1, HILLCREST EAST ADDITION TO THE CITY OF YANKTON, SOUTH DAKOTA.
- 2) TRACT B AND LOTS 4 THRU 7 OF BLOCK 2, HILLCREST EAST ADDITION TO THE CITY OF YANKTON, SOUTH DAKOTA.
- 3) LOTS 1 THRU 13 OF BLOCK 3, HILLCREST EAST ADDITION TO THE CITY OF YANKTON, SOUTH DAKOTA.
- 4) LOT 1A AND LOTS 1 THRU 18 OF BLOCK 4, HILLCREST EAST ADDITION TO THE CITY OF YANKTON, SOUTH DAKOTA.
- 5) OUTLOTS 1,2,3 AND 4, HILLCREST EAST ADDITION TO THE CITY OF YANKTON, SOUTH DAKOTA.

I CERTIFY THAT THE LOCATIONS AND DIMENSIONS OF THE ABOVE TRACTS ARE AS SHOWN ON THE PLAT ABOVE AND ARE CORRECT IN ALL RESPECTS, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

I CERTIFY THAT I HAVE EXECUTED THE ABOVE INSTRUMENT THIS 2nd DAY OF August, 1983 A.D.

Peter S. Johnson
REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR

STATE OF SOUTH DAKOTA SS
COUNTY OF YANKTON

BE IT REMEMBERED THAT ON THIS 2nd DAY OF August, 1983 A.D., BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, WITHIN AND FOR THE COUNTY AND STATE AFORESAID, PERSONALLY APPEARED PETER S. JOHNSON, KNOWN TO ME TO BE THE PERSON WHO IS DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

MY COMMISSION EXPIRES 8-1-86

Ronald E. Bertch
NOTARY PUBLIC, YANKTON COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

WE, L.E. WELFL AND JAMES F. TRAMP DOING BUSINESS AS T&W DEVELOPMENT, A PARTNERSHIP, AND J.W. Hubner & Donald D. Couch Pres. & Sec. respectively OF HILLCREST GOLF & COUNTRY CLUB, A CORPORATION, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF: TRACT A AND LOTS 4 THRU 11 OF BLOCK 1; TRACT B AND LOTS 4 THRU 7 OF BLOCK 2; LOTS 1 THRU 13 OF BLOCK 3; LOT 1A AND LOTS 1 THRU 18 OF BLOCK 4; OUTLOTS 1,2,3 AND 4; ALL IN HILLCREST EAST ADDITION TO THE CITY OF YANKTON, SOUTH DAKOTA; THAT THE ABOVE TRACTS SHALL HEREAFTER BE KNOWN BY THE BLOCK NUMBERS, LOT NUMBERS, TRACT LETTERS, OUTLOT NUMBERS, ADDITION AND DESCRIPTION DESIGNATED ABOVE; THAT THE ABOVE AND FOREGOING PLAT AND SURVEY WERE MADE AT OUR REQUEST, AT OUR DIRECTION, AND FOR THE PURPOSE OF DEFINING AND DESCRIBING THE PROPERTY CONTAINED WITHIN THE BOUNDARIES AS SHOWN ON THE ABOVE PLAT; THAT THE STREET AND UTILITY EASEMENTS AS SHOWN ON THE ABOVE PLAT ARE HEREBY DEDICATED TO THE PUBLIC USE FOREVER; AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS.

WITNESS OUR HAND AND SEAL THIS 2nd DAY OF August, 1983 A.D.

L.E. Welfl SEAL
L.E. WELFL, PARTNER, T&W DEVELOPMENT
James F. Tramp SEAL
JAMES F. TRAMP, PARTNER, T&W DEVELOPMENT

STATE OF SOUTH DAKOTA SS
COUNTY OF YANKTON

BE IT REMEMBERED THAT ON THIS 2nd DAY OF August, 1983 A.D., BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, WITHIN AND FOR THE COUNTY AND STATE AFORESAID, PERSONALLY APPEARED, L.E. WELFL AND JAMES F. TRAMP, KNOWN TO ME TO BE THE PERSONS WHO ARE DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND CERTIFICATE AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

MY COMMISSION EXPIRES 6-9-89

Robert Sweet
NOTARY PUBLIC, YANKTON COUNTY, SOUTH DAKOTA

WITNESS OUR HAND AND SEAL THIS 2nd DAY OF August, 1983 A.D.

HILLCREST GOLF & COUNTRY CLUB, A CORPORATION
BY J.W. Hubner SEAL
PRESIDENT
BY Donald D. Couch SEAL
SECRETARY

CORPORATE ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA SS
COUNTY OF YANKTON

ON THIS 2nd DAY OF August, 1983, BEFORE ME Steven L. Pier, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED, J.W. Hubner AND Donald D. Couch, WHO ACKNOWLEDGED THEMSELVES TO BE THE PRESIDENT AND SECRETARY RESPECTIVELY OF HILLCREST GOLF & COUNTRY CLUB, A CORPORATION, AND THAT THEY, AS SUCH PRESIDENT AND SECRETARY BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF THE CORPORATION BY THEMSELVES AS SUCH PRESIDENT AND SECRETARY.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES 1-21-89

Steven L. Pier
NOTARY PUBLIC

RESOLUTION OF APPROVAL

WHEREAS IT APPEARS THAT THE OWNERS THEREOF HAVE CAUSED A PLAT TO BE MADE OF THE FOLLOWING DESCRIBED REAL PROPERTY: TRACT A AND LOTS 4 THRU 11 OF BLOCK 1; TRACT B AND LOTS 4 THRU 7 OF BLOCK 2; LOTS 1 THRU 13 OF BLOCK 3; LOT 1A AND LOTS 1 THRU 18 OF BLOCK 4; OUTLOTS 1,2,3 AND 4; ALL IN HILLCREST EAST ADDITION TO THE CITY OF YANKTON, SOUTH DAKOTA, AND HAVE SUBMITTED SUCH PLAT TO THE CITY COMMISSION OF THE CITY OF YANKTON, SOUTH DAKOTA FOR APPROVAL, NOW THEREFORE BE IT

RESOLVED THAT SUCH PLAT HAS BEEN EXECUTED ACCORDING TO THE LAW AND THE SAME IS HEREBY APPROVED AND THE CITY FINANCE OFFICER IS HEREBY AUTHORIZED

AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME.

Mark D. Shale
MAYOR, CITY OF YANKTON, SOUTH DAKOTA

CITY FINANCE OFFICER OF THE CITY OF YANKTON, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE

WHEREAS IT APPEARS THAT THE OWNERS THEREOF HAVE CAUSED A PLAT TO BE MADE OF THE FOLLOWING DESCRIBED REAL PROPERTY: TRACT A AND TRACT B OF BLOCK 1; TRACT B AND LOTS 4 THRU 7 OF BLOCK 2; LOTS 1 THRU 13 OF BLOCK 3; LOT 1A AND LOTS 1 THRU 18 OF BLOCK 4; OUTLOTS 1, 2, 3 AND 4; ALL IN HILLCREST EAST ADDITION TO THE CITY OF YANKTON, SOUTH DAKOTA, AND HAVE SUBMITTED SUCH PLAT TO THE CITY COMMISSION OF THE CITY OF YANKTON, SOUTH DAKOTA FOR APPROVAL, NOW THEREFORE BE IT

RESOLVED THAT SUCH PLAT HAS BEEN EXECUTED ACCORDING TO THE LAW AND THE SAME IS HEREBY APPROVED AND THE CITY FINANCE OFFICER IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME.

Marlin J. Hulse
MAYOR, CITY OF YANKTON, SOUTH DAKOTA

I, Terrell J. Knudsen CITY FINANCE OFFICER OF THE CITY OF YANKTON, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE CITY COMMISSION OF THE CITY OF YANKTON, SOUTH DAKOTA ON THIS 8 DAY OF August 1983 A.D.

Terrell J. Knudsen
CITY FINANCE OFFICER, YANKTON, SOUTH DAKOTA

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION OF YANKTON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT HE HAS RECEIVED A COPY OF THE FOREGOING PLAT.

DATED THIS 10th DAY OF August, 1983 A.D.

W. S. Lusk
YANKTON COUNTY DIRECTOR OF EQUALIZATION

COUNTY TREASURER'S CERTIFICATE

THE UNDERSIGNED, TREASURER OF YANKTON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT ALL TAXES THAT ARE LIENS UPON ANY OF THE LAND INCLUDED IN THE FOREGOING PLAT, AS SHOWN BY THE RECORDS IN MY OFFICE, HAVE BEEN FULLY PAID.

DATED THIS 11th DAY OF August, 1983 A.D.

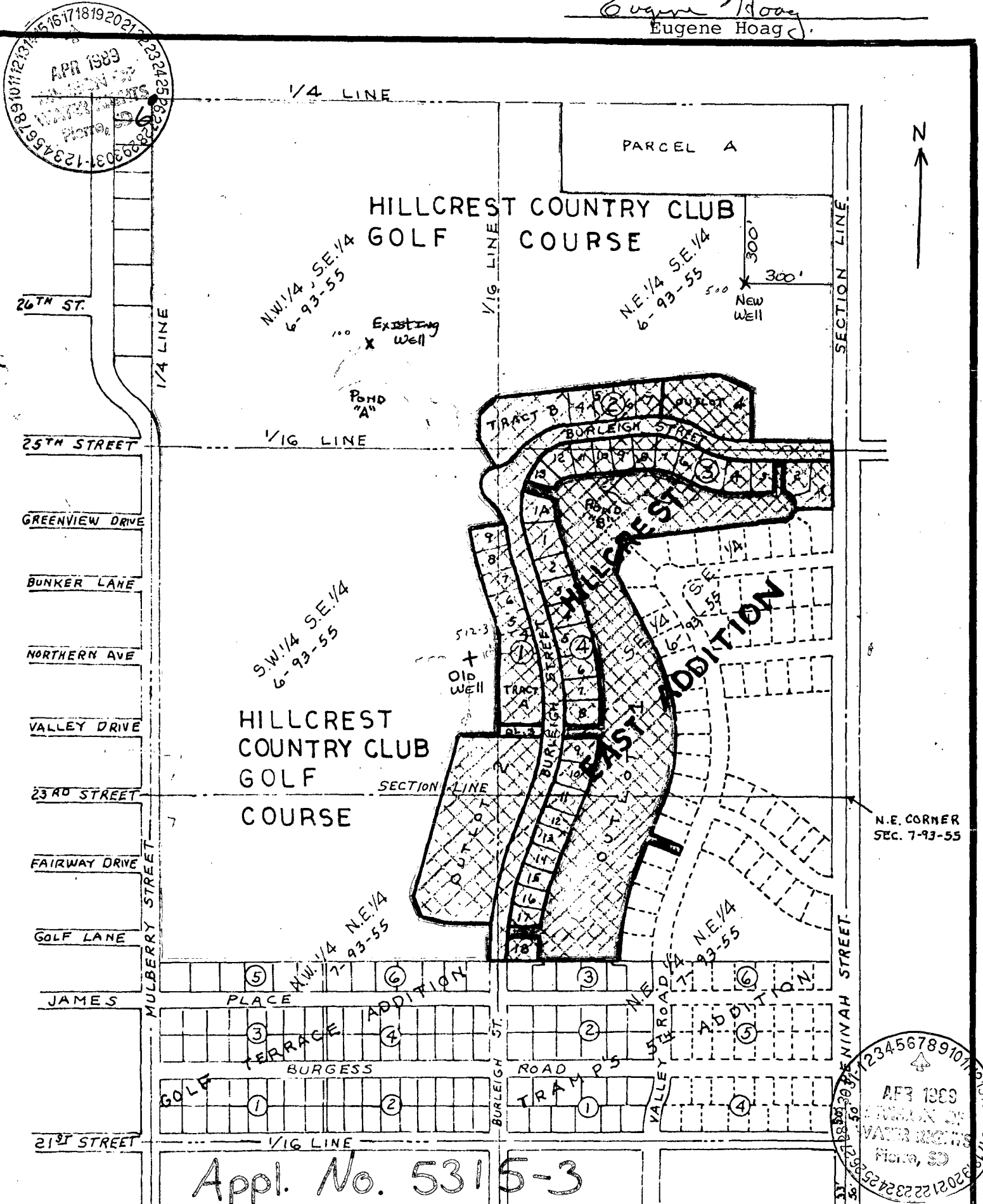
Francis J. Sullivan
YANKTON COUNTY TREASURER

SHEET 2 OF 2



I Eugene Hoag, Yankton City Engineer, have examined this document and state in my opinion it is an accurate representation of Hillcrest Golf and Country Club as it presently exists located within Yankton County, South Dakota.

Eugene Hoag
Eugene Hoag



STATE OF SOUTH DAKOTA)
) SS:
COUNTY OF YANKTON)

I, Thomas J. Cihak, President of Hillcrest Golf & Country Club, the applicant, certify that I have read this application and examined the attached maps, that the water sample 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.

HILLCREST GOLF & COUNTRY CLUB

BY:


Thomas J. Cihak

ITS: President

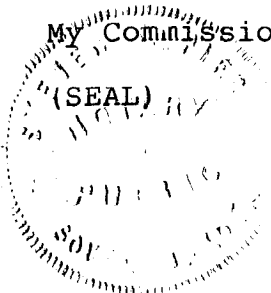
STATE OF SOUTH DAKOTA)
) SS:
COUNTY OF YANKTON)

On this the 6th day of April, 1989, before me, Steven L. Pier, the undersigned officer, personally appeared Thomas J. Cihak, who acknowledged himself to be the President of Hillcrest Golf & Country Club, a corporation, and that he as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as such President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.


Steven L. Pier - Notary Public

My Commission Expires: 1-21-97



REPORT ON APPLICATION NO. 5315-3
Hillcrest Golf and Country Club
April 7, 1989

Application No. 5315-3, Hillcrest Golf and Country Club, proposes to appropriate 1.33 cubic feet of water per second (cfs) from one proposed well and one existing well to irrigate 140 acres in Yankton County. Water from the wells will be diverted into two dugouts and then distributed to the irrigation system. The proposed well is to be located in the NE1/4 SE1/4 and the existing well is located in the NW1/4 SE1/4; both in Section 6, T93N, R55W. The dugouts are located in the NW1/4 SE1/4 and SE1/4 SE1/4 of Section 6. The acreage to be irrigated is located in SE1/4 Section 6 and N1/2 NE1/4 Section 7, T93N, R55W. An existing Water Right No. 512-3 authorizes irrigation of 60 acres of the 140 total acres from an existing well located in the SW1/4 SE1/4 of Section 6. Since the three wells will have a combined capacity of 800 gallons per minute (gpm), the combined diversion rate authorized by this application, if approved, and Water Right No. 512-3 will not exceed 1.78 cfs (800 gpm) for irrigation of 140 acres.

Aquifer - Lower James Missouri (LJM)

The Lower James Missouri aquifer is a glacial outwash aquifer and is under water table conditions in this area (Bugliosi, 1986). The aquifer underlies 92,500 acres in Yankton County and contains over 2,000,000 acre-feet of recoverable water (Hedges, et al, 1982). Observation wells YA-57C and YA-78H (Water Rights, 1989) are located about three miles north of the golf course. Water level records for the observation wells reflect normal drawdown and recharge patterns.

Review of Existing Water Rights

There are 30 existing irrigation permits from the Lower James Missouri aquifer in Yankton County. These permits have a combined appropriation of 11,593 acre-feet, and the reported pumpage in 1987 amounted to 990 acre-feet (Water Rights, 1987). The nearest irrigation wells to the golf course wells are located one-half mile to the southeast.

Conclusions

1. Water is available from the Lower James Missouri aquifer.
2. Observation well records for wells near the points of diversion reflect normal drawdown and recharge patterns.

3. Only one new well will actually be drilled. There are two existing wells and two dugouts which have been developed and are used.
4. Existing water rights should not be adversely impacted.
5. The combined diversion rate authorized by this application, if approved, and Water Right No. 512-3 should not exceed 1.78 cfs.

James L. Wendte

James L. Wendte
Natural Resources Engineer

Approved by:

James A. Goodman

James A. Goodman, P.E.
Hydrologist

Bibliography

Bugliosi, E.F., 1986, Water Resources of Yankton County, South Dakota, for United States Geological Survey, Yankton County, Lower James Conservancy Sub-District, DWNR, SDGS, Vermillion, SD, 57069.

Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, R.A. Schoon, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for U.S. Army Corps of Engineers, DWNR, SDGS, Vermillion, SD, 57069.

Water Rights Division, 1987, Irrigation Report By County, DWNR, Division of Water Rights, Joe Foss Bldg., Pierre, SD, 57501.

Water Rights Division, 1989, Observation Well Files YA-57C and YA-78H, DWNR, Division of Water Rights, Joe Foss Bldg., Pierre, SD, 57501.

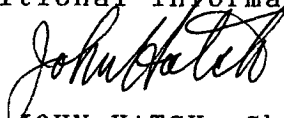
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5315-3, Hillcrest Golf and Country Club

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. 5315-3, Hillcrest Golf and Country Club, 2206 Mulberry, Yankton SD.

The Chief Engineer is recommending APPROVAL of Application No. 5313-3 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 wells authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Approval of Permit No. 5315-3 authorizes construction of two dugouts - Pond A with a capacity of 8.4 acre-feet and Pond B with a capacity of 7.4 acre-feet, and a maximum diversion rate from the ponds for irrigation of 1.78 cfs.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
April 7, 1989



Department of Water & Natural Resources

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

April 7, 1989

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

Jack Gregg
Hillcrest Golf & Country Club
2206 Mulberry
Yankton SD 57078

Dear Mr. Gregg:

A notice of hearing has been sent to the Publisher of the Press & Dakotan printed at Yankton SD regarding Application No. 5315-3. For your information, a copy of the notice is enclosed. The recommendation of the Chief Engineer and a report on the application will be sent later. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

cc: Darwin Polsean





Department of Water & Natural Resources

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

April 7, 1989

Press & Dakotan
Box 565
Yankton SD 57078

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5315-3 to be published twice. Please publish the first notice on or before April 13, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is the Hillcrest Golf and Country Club, 2206 Mulberry, Yankton SD 57078.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO: Ron Duvall
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____



Instruction to Newspaper - Publish first Notice on or before April 13, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5315-3 to Appropriate Water

Notice is given that the Hillcrest Golf and Country Club, 2206 Mulberry, Yankton SD 57078 has filed an application for a water permit to appropriate 1.11 cubic feet of water per second (cfs) from one proposed well (Lower James:Missouri) approximately 90 feet deep and to appropriate 0.22 cfs from one existing well, 60 feet deep, to irrigate 140 acres of the Hillcrest Golf and Country Club. The proposed well is to be located in the NE 1/4 SE 1/4 and the existing well is located in the NW 1/4 SE 1/4; both in Section 6-T93N-R55W. The acreage to be irrigated is located in the SE 1/4 Section 6; N 1/2 NE 1/4 Section 7; all in T93N-R55W. Water Right No. 512-3 authorizes irrigation of 60 acres of the 140 total acres from an existing well located in the SW 1/4 SE 1/4 Section 6-T93N-R55W. Water from the existing wells is diverted to the irrigated acreage via 2 dugouts in the SE 1/4 Section 6-T93N-R55W. This application also authorizes irrigation of the additional 80 acres from the existing well described on Water Right No. 512-3. The combined diversion rate from the wells authorized by this application, if approved, and the well authorized by Water Right No. 512-3 may not exceed 1.78 cfs for irrigation of 140 acres.

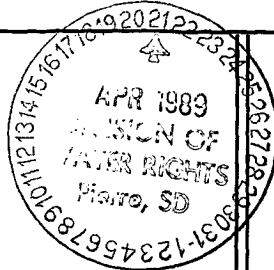
Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5315-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on May 10, 1989 at 10:00 am. 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.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by April 28, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. 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. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by April 28, 1989.

This application is made pursuant to 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.

Affidavit of Publication



STATE OF SOUTH DAKOTA

SS.

COUNTY OF YANKTON

Noel Hamiel

being first duly sworn says: That he is

the Publisher of the Yankton Printing Company, a corporation, the printer and publisher of the Yankton Daily Press and Dakotan, a daily newspaper of general circulation, printed and published in the City and County of Yankton, South Dakota; that he has personal knowledge of all the facts stated in this affidavit; and that the advertisement captioned Notice of Hearing on Application No. 5315-3 to Appropriate Water

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement, once each week for two successive weeks, the first publication being made on the 12th day of April, 19 89, and the last publication being made on the 19th day of April, 19 89.

The first publication being made on the 12th day of April

The second publication being made on the 19th day of April

The third publication being made on the _____ day of _____

The fourth publication being made on the _____ day of _____

The fifth publication being made on the _____ day of _____

The sixth publication being made on the _____ day of _____

The seventh publication being made on the _____ day of _____

The eighth publication being made on the _____ day of _____

The ninth publication being made on the _____ day of _____

The tenth publication being made on the _____ day of _____

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies daily and has been published in the English language within the said County of Yankton for more than one year next prior to the first publication of said notice, and is printed in Yankton in an office maintained in Yankton, South Dakota, the place of publication of said newspaper. That the full amount of the fee paid for the publication of the annexed notice is \$ 48.80, which inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever.

Subscribed and sworn to before me this 19th day

of April, 19 89

Notary Public

Notary Public, South Dakota

4-12&19
NOTICE OF HEARING
ON APPLICATION NO. 5315-3
TO APPROPRIATE WATER

Notice is given that the Hillcrest Golf and Country Club, 2206 Mulberry, Yankton, SD 57078 has filed an application for a water permit to appropriate 1.11 cubic feet of water per second (cfs) from one proposed well (Lower James: Missouri) approximately 90 feet deep and to appropriate 0.22 cfs from one existing well, 60 feet deep, to irrigate 140 acres of the Hillcrest Golf and Country Club. The proposed well is to be located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the existing well is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$; both in Section 6-T93N-R55W. The acreage to be irrigated is located in the SE $\frac{1}{4}$ Section 6; N $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7; all in T93N-R55W. Water Right No. 512-3 authorizes irrigation of 60 acres of the 140 total acres from an existing well located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6-T93N-R55W. Water from the existing wells is diverted to the irrigated acreage via 2 dugouts in the SE $\frac{1}{4}$ Section 6-T93N-R55W. This application also authorizes irrigation of the additional 80 acres from the existing well described on Water Right No. 512-3. The combined diversion rate from the wells authorized by this application, if approved, and the well authorized by Water Right No. 512-3 may not exceed 1.78 cfs for irrigation of 140 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5315-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD on May 10, 1989 at 10:00 a.m. 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.

Any interested person that intended to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by April 28, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing in or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to-

access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. 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. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by April 28, 1989.

This application is made pursuant to 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.

Public

Recei

 **Department of
Water & Natural Resources**

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

May 5, 1989

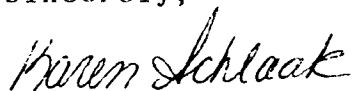
Jack Gregg
Hillcrest Golf & Country Club
2206 Mulberry
Yankton SD 57078

Dear Mr. Gregg:

Enclosed is the Report and the Recommendation of the Chief Engineer for Water Permit Application No. 5315-3 which will be considered at the May 10, 1989 Water Management Board Meeting.

Also enclosed is receipt for the \$225 filing fee.

Sincerely,



KAREN SCHLAAK
Senior Secretary
605 773-3352

enclosures





Department of Water & Natural Resources

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

SEP 12 1989

Jack Gregg
Hillcrest Country Club
2206 Mulberry
Yankton, SD 57078

Dear Mr. Gregg:

Enclosed is Water Permit No. 5315-3 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.





NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Date June 7 1990

TO: Water Rights Division, DWNH
Joe Foss Building
Pierre SD 57501-3181

FROM: HILL CREST GOLF
AND County Club 2206 Mulberry YANKTON S.D.
name address city 57078

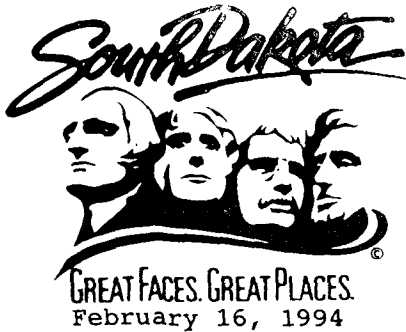
I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5315-3.

Water Permit No. 5315-3 states that the diversion system is to be constructed by MAY 10, 1994, and that the water it put to beneficial use by MAY 10, 1998.

The diversion system was completed on April 2, 1990.
Applying the water to beneficial use was completed on April 9, 1990.

You may schedule an inspection so that the Water License may be issued.

Darwin Polcan
signature



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

HILLCREST GOLF/COUNTRY CLUB
2206 MULBERRY
YANKTON SD 57078

NOTICE

RE: Violation of Water Permit No(s) 5315-3

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 5315-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 5315-3 qualification:

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

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5315-3 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 April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- 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.

3. Article Addressed to:

HILLCREST GOLF/COUNTRY CLUB
2206 MULBERRY
YANKTON SD 57078

5. Signature (Addressee)

6. Signature (Agent)

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

1. ☒ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P 807 692 615

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

2-18-94

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

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 9, 1994

NOTICE

TO: HILLCREST GOLF/COUNTRY CLUB-T CIHAK, PRES
2206 MULBERRY
YANKTON, SD 57078

FROM: Ron Duvall, Natural Resources Engineer IV
For John Hatch, Chief Engineer,
Water Rights Division
(605) 773-3352 

SUBJECT: April 6, 1994 Water Management Board Meeting --
Irrigation Questionnaire Violation(s)
RE: 5315-3,

On February 16, 1994, a notice was sent to you concerning submission of the 1993 irrigation questionnaire(s). The time and location of the April 6th hearing have been changed.

The hearing is now scheduled as follows:

**9:30 a.m., April 6, 1994, in the Conference Room of
the Floyd Matthew Training Center, Joe Foss Building,
523 E Capitol, Pierre, SD.**

All other provisions of the February 16th notice still apply. If the questionnaire(s) are received in this office prior to April 1, 1994, your name will be deleted from the agenda.

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

CERTIFICATION

I hereby certify that on March 9, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 9, 1994, regarding April 6, 1994, Water Management Board Meeting -- Irrigation Questionnaire Violation(s) on the following Water Rights/Permits and addresses as stated below:

- 2709-3: Alex A./Ann L. Falk, 1301 N. 4th St., Aberdeen, SD 57401.
2763-3 & 4281-3: Alfred LaCroix, Jr., RR 1, Box 350, Jefferson, SD 57038.
5238-3 & 2520-3: B. Deloris Jensen, RR 2, Box 107, Beresford, SD 57004-9578.
2534-3: Barry Imsland, RR 2, Box 26, Conde, SD 57434.
1677A-3: Burnett Quam, RR 1, Box 222, Elk Point, SD 57025.
1814-3: Caroline & Garry S. Kerkvliet, RFD 2, Box 145, Castlewood, SD 57223.
4773-3 & 1880-3: City of Brookings, Theodore Kryger, F.O., P.O. Box 270, Brookings, SD 57006-0270.
180-3 & 291-3: Craig Flyger, RR 1, Box 22, Parker, SD 57053.
1076-2, 1236-2 & 2167-2: Dale Heese, HCR 88, Box 36, Millboro, SD 57580-7417.
1488-2: Dan Donelan, HCR 33, Box 23, Mission Ridge, SD 57532.
417-1A & 417-1B: Darrell C. Anderson, 1700 Kings Rd., Rapid City, SD 57702.
540-2: Darrell E. Heldman, Box 402, Edgemont, SD 57735.
1503-2: Dave Hemmingson, HCR 3, Box 11, Philip, SD 57567.
792-1: David L. & Mary Lou Mollman, HC 63, Box 62, Ludlow, SD 57755.
4093-3: Dell Rapids Golf & Rec Assoc, Mike Solem, Box 165, Dell Rapids, SD 57022.
2394-3 & 2395-3: Dennis Jones, RR 1, Box 55, Bath, SD 57427.
1275-2: Donald Kaiser, HCR 89, Box 303, Hermosa, SD 57744.
1556-3: Ed & Dale Fawcett, Inc., Box 3D, Ree Heights, SD 57371.
1555-3: Ed & Dale Fawcett, Inc., HCR 64, Box 155, Miller, SD 57362.
2622-3: Evelyn Bernard, RR 1, Box 35, Jefferson, SD 57038.
526-2: Fred & Dan McFarland, P.O. Box 2110, Rapid City, SD 57709.
1390A-1: Fred W. Carlson, 716 10th Ave., Belle Fourche, SD 57717.
3026-3: G. Waldner, Hillcrest Colony, Box 17, Garden City, SD 57236.
1291-3 & 2474-3: Gary Hanson, Operator, RR 2, Box 224, Elk Point, SD 57025.
407-2, 408-2 & 409-2: Gerrit DeJong, HCR 81, Box 50, Kennebec, SD 57544-9503.
4209-3: Harold Nelson & Son, RR 2, Box 156, Yankton, SD 57078.
5315-3: Hillcrest Golf/Country Club, T. Cihak, President, 2206 Mulberry, Yankton, SD 57078.
2595-3 & 4379-3: James B. Zell, Rt 1, Box 350, Cavour, SD 57324.
4687-3A & 4687-3B: James L. Sutton, Box 33, Onida, SD 57564.
5203-3: Jeffery O. & Sally J. Nelson, RR 2, Box 2080, Brandon, SD 57005-9606.
475-2 & 1114-2: John Pitkin, Rex Ranch, Box 92, Nenzel, SD 69219.
961-3, 1050-3, 1120-3 & 1223-3: Kevin Dettler, HC 71, Box 29, Doland, SD 57436.

4524-3 & 4524-3A: Leon Lengkeek, 1605 Buffalo TR, Brookings, SD 57006.
 4443-3: Lonnie H. Nelson, RR 2, Box 156, Yankton, SD 57078.
 5010-3: Loren & Joyce Forrest, RR 1, Box 213, Laverne, MN 56156.
 156-3, 157-3, 164-3 & 1878-3: Marene Flyger, Box 362, Hurley, SD 57036.
 2242-3: Mark Quam, RR 2, Box 456, Elk Point, SD 57025.
 1523-2 & 1525-2: May & Sons, Inc., HC 53, Box 21, Interior, SD 57750.
 3550-3: Melvin A. Schmidt, Rt 2, Box 127, Parker, SD 57053.
 1714-2 & 2063-2, 400-2 & 401-2: Melvin E. Brassfield, Box 24, Caputa, SD 57725.
 5353-3: Michael A. Koslowski, RR 1, Box 44, Waubay, SD 57273.
 4910A-3: Michael L. Kreber, RR 1, Box 89, Tabor, SD 57063.
 2120-2: Mick Zink, HC 88, Box 51, Wewela, SD 57578.
 5205-3: Oahe Shores Golf Association, Dennis Moser, P.O. Box 174, Pollock, SD 57648.
 1684-3 & 2742-3: Paul Daly, P.O. Box 379, Ft. Thompson, SD 57339-0379.
 5736-3: Robert Streeter, 2645 Country VW, Monroe, WI 53566.
 235-3: Russell Doolittle, RR 1, Box 53, Wolsey, SD 57384.
 1264-3A: Steffen Brothers, Inc., HCR 37, Box 132, Pierre, SD 57501-9514.
 424-1: Steve Smeenck, Rt 1, Box 134, Newell, SD 57760.
 399-2: Thomas & Robin Jagow, HC 56, Box 39, Buffalo Gap, SD 57722.
 5225-3: Town of Pollock, Lila Renner, F.O., P.O. Box 57, Pollock, SD 57648-0057.
 925-1: Warren N. Gollither, RR 1, Box 237D, Spearfish, SD 57783.
 897-2: Wilbert & Judith Ohlmann, HCR 69, Box 663, Midland, SD 57552.
 1402A-2: William & James O'Kief, HC 68, Box 32, Wood Lake, NE 69221.
 4646A-3: William A. Stoddard, 821 S. Walts Ave., Sioux Falls, SD 57104.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 1994.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 22, 1994

5315-3

Thomas Cihak, President
Hillcrest Golf & Country Club
PO Box 327
Yankton, SD 57078-0327

Dear Mr. Cihak:

I am writing to acknowledge receipt of your 1993 irrigation questionnaire. You may disregard the February 16, 1994, **Notice of Violation of Water Permit No. 5315-3.**

The questionnaire 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 Division
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 26, 1996

512-3

5315-3

Steve Schnell
Hillcrest Golf & Country Club
PO Box 327
Yankton, SD 57078

Dear Mr. Schnell:

Thank you for contacting me regarding the 1996 irrigation questionnaires for the golf course. Enclosed is a copy of the 1995 questionnaire for Water Right No. 512-3. You will note that they included the information for No. 5315-3 on the same form. If this is easier for you, you can do the same thing, or if you are able to separate them, that is fine too.

I am enclosing copies of Water Right No. 512-3 and Water Permit No. 5315-3. Each will describe the source of water authorized, the legal description of the diversion point(s) and acres irrigated. This may help you determine which irrigation questionnaire goes with which water permit or right.

If after reviewing the enclosed material, you have any questions, please contact me.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 15, 1999

5315-3

Nathan Arnes, Accountant
Hillcrest Golf and Country Club
2206 Mulberry
Yankton, SD 57078

Dear Mr. Arnes:

The investigation of your water use system was conducted on September 16, 1998, by Ron Duvall, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 5315-3. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation 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 Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 416032

Pierre, February 3, 1999

RECEIVED OF Hillcrest Golf & Country Club, 2206 Mulberry, P.O. Box 327, Yankton, SD 57078
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. 5315-3

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By _____
Chief Engineer

John H. Hatcher

Permit No. 5315-3
Missouri River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

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

I have this day, September 16, 1998, made a thorough examination of the water use system constructed by Hillcrest Golf and Country Club of 2206 Mulberry Yankton SD 57078 holder of Permit No. 5315-3 and 512-3, bearing the priority of April 7, 1989 and September 8, 1958, respectively** authorizing the diversion of 1.78 cu. ft. per second and the storage of 15.8 acre-feet of the waters of ground water for irrigation purposes, in Yankton County.

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

A. Works used to divert the water:

Pump/Motor (new well):

- 1) Make Goulds submersible
- 2) Model 425 F Series
- 3) Size 40 hp
- 4) Capacity 500 GPM

Pump (existing well):

- 1) Make Western Land Roller
- 2) Capacity 100 GPM

Motor:

- 1) Make General Electric
- 2) Horsepower rating 7.5 hp

Pump/Motor (No. 512-3):

- 1) Make Unknown submersible
- 2) Size 12.5 hp
- 3) Capacity 300 GPM (well needs to be rehabilitated to restore capacity)

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

Water is diverted from Pond A and B with two, 30 hp diversions to the irrigated acreage. Water may also be diverted directly from the new well (NE $\frac{1}{4}$ SE $\frac{1}{4}$) to the irrigated acreage. The existing well (NW $\frac{1}{4}$ NE $\frac{1}{4}$) diverts to Pond A (8.4 AF) and the old well authorized by No. 512-3 diverts to Pond A or B (7.4 AF). The golf course consists of approximately 30 acres of fairway and 5 acres of greens. Use of quick couplers increases the area that may be irrigated up to approximately 100 acres according to the grounds superintendent, Steve Schnell.

The system is in the following condition good. The point of diversion is located New well: 600 feet S and 300 feet W (NE $\frac{1}{4}$ SE $\frac{1}{4}$); Existing well: 850 feet S and 1,800 feet W (NW $\frac{1}{4}$ SE $\frac{1}{4}$) both from the E $\frac{1}{4}$ corner section 6; Old well (512-3): 500 feet N and 1,450 feet W (SW $\frac{1}{4}$ SE $\frac{1}{4}$) from the SE corner section 6; all in T93N-R55W). The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water and storing 15.8 acre-feet of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows: **Irrigation of up to 100 acres in the following areas**

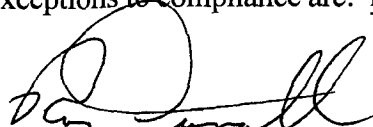
SE $\frac{1}{4}$ section 6-T93N-R55W

N $\frac{1}{2}$ NE $\frac{1}{4}$ section 7-T93N-R55W

comprising a total of 100 acres of land and the license should be issued for 1.42 cfs and 15.8 acre-feet of storage.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: none Date report completed: January 7, 1999.


 Ron Duvall
 Natural Resources Engineer
 DENR, Water Rights Program

** A priority date of April 7, 1989 is assigned to irrigation of 40 acres and a date of September 8, 1958 for the remaining 60 acres. Water Right No. 512-3 is incorporated into No. 5315-3.

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5315-3

DATE OF INVESTIGATION	September 16, 1998
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Steve Schnell, Grounds Superintendent
NAME & ADDRESS OF PERMIT HOLDER	Hillcrest Golf and Country Club 2206 Mulberry Yankton SD 57078
DIVERSION POINT LEGAL LOCATION	New well: 600 feet S and 300 feet W (NE $\frac{1}{4}$ SE $\frac{1}{4}$); Existing well: 850 feet S and 1,800 feet W (NW $\frac{1}{4}$ SE $\frac{1}{4}$) both from the E $\frac{1}{4}$ corner section 6; Old well (512-3): 500 feet N and 1,450 feet W (SW $\frac{1}{4}$ SE $\frac{1}{4}$) from the SE corner section 6; all in T93N-R55W

Other permit(s) associated with the project: 512-3

WELL INFORMATION:

- 1) Well Drilling Firm: Wetmore Drilling
- 2) No. of Wells 2
- 3) Depth(s) 60' existing well, 118' new well
- 4) Well log is available Y for new well, no logs available for existing wells

Casing (new well):

- 1) Diameter 12 inches
- 2) Length 78 feet
- 3) Type Plastic

Screen (new well):

- 1) Type PVC
- 2) Length 40 feet
- 3) Static water level 36 feet

Pump/Motor (new well):

- 1) Make Goulds submersible
- 2) Model 425 F Series
- 3) Size 40 hp
- 4) Capacity 500 GPM

Pump (existing well):

- 1) Make Western Land Roller
- 2) Capacity 100 GPM

Motor (existing well):

- 1) Make General Electric
- 2) Horsepower rating 7.5 hp

Pump/Motor (No. 512-3):

- 1) Make Unknown submersible
- 2) Size 12.5 hp
- 3) Capacity 300 GPM (well needs to be rehabilitated to restore full capacity)

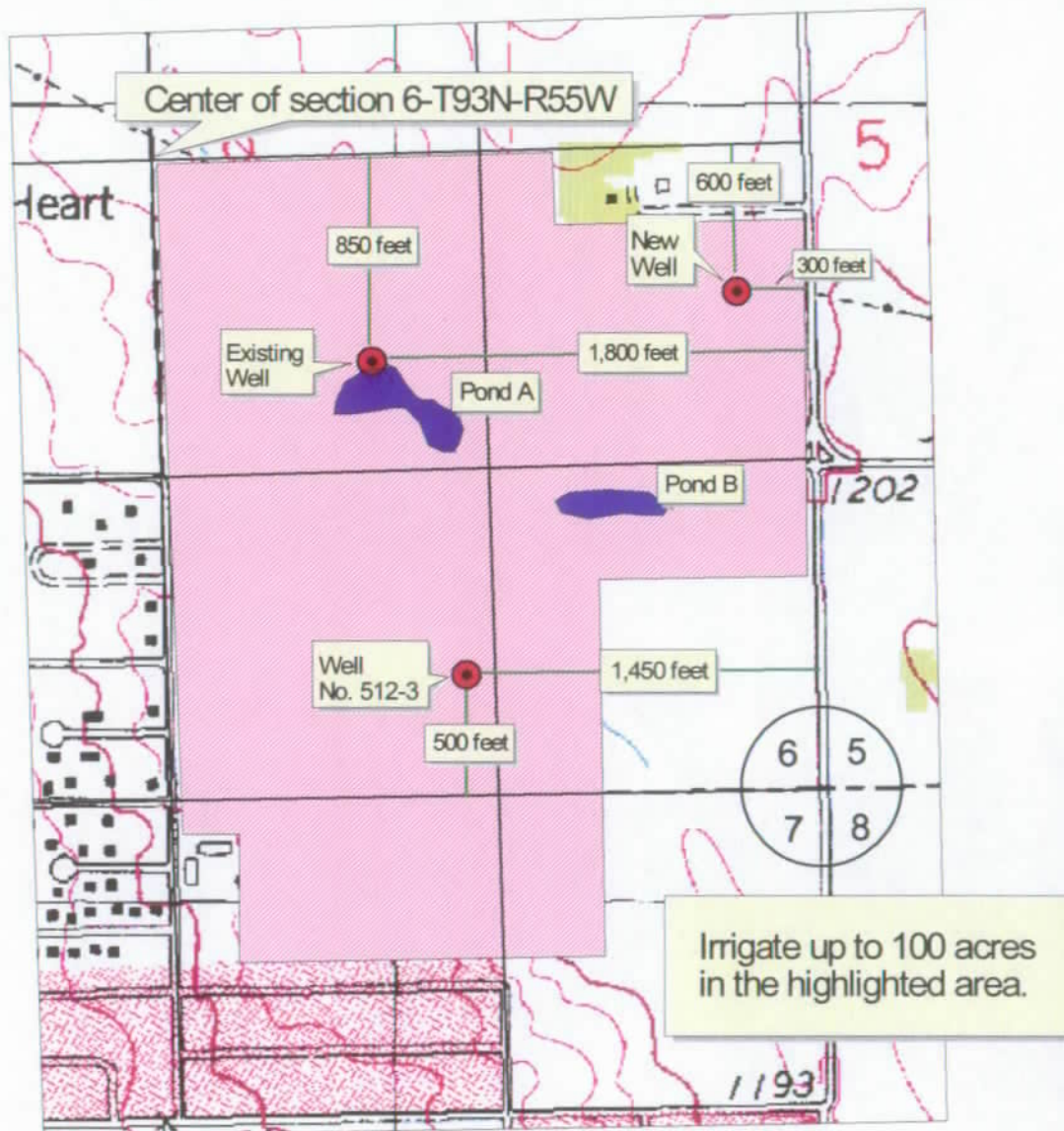
DISTRIBUTION LINES OR CANALS:

Water is diverted from Pond A and B with two, 30 hp diversions to the irrigated acreage. Water may also be diverted directly from the new well (NE $\frac{1}{4}$ SE $\frac{1}{4}$) to the irrigated acreage. The existing well (NW $\frac{1}{4}$ NE $\frac{1}{4}$) diverts to Pond A (8.4 AF) and the old well authorized by No. 512-3 diverts to Pond A or B (7.4 AF). The golf course consists of approximately 30 acres of fairway and 5 acres of greens. Use of quick couplers increases the area that may be irrigated up to approximately 100 acres according to the grounds superintendent, Steve Schnell. The size of Pond A and B appear to be accurately described on the Form 2A.

PERMIT QUALIFICATIONS:

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

800 0 800 Feet



Ron Duvall

Ron Duvall, Nat Res Engineer

12/14/98
Date

Water Right No. 5315-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5315-3

(1) Hillcrest Golf and Country Club, 2206 Mulberry, Yankton SD 57078 made Application No. 5315-3, April 7, 1989 for a water permit to divert 1.43 cubic feet of water per second (cfs) from groundwater (2 wells) and 2 ponds (15.8 acre-feet storage capacity), Yankton County, South Dakota for irrigation purposes. Permit No. 5315-3, with a priority date of April 7, 1989 was approved May 10, 1989 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 10, 1994 and for the application to beneficial use of said water on or before May 10, 1998.

Water Right No. 512-3 authorizes 0.67 cfs from one well to irrigate 60 acres located in the Sections 6 and 7-T93N-R55W with a priority date of September 8, 1958. The applicable portions of Water Right No. 512-3 are incorporated into No. 5315-3.

(2) It is certified that the permit holder 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 1.42 cubic feet of water per second and 15.8 acre-feet of storage for beneficial use. The location of the diversion points are: Well No 1 - 600 feet south and 300 feet west (NE ¼ SE ¼); Well No. 2 - 850 feet south and 1,800 feet west (NW ¼ SE ¼) both from the east ¼ corner Section 6; Well No. 3 - 500 feet north and 1,450 feet west (SW ¼ SE ¼) from the southeast corner of Section 6; all in T93N-R55W.

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

Irrigation of up to **100 acres** in the following areas

SE ¼ Section 6-T93N-R55W

N ½ NE ¼ Section 7-T93N-R55W

* A priority date of September 8, 1958 is assigned to irrigation of 60 acres and the remaining 40 acres is assigned a priority date of April 7, 1989.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Hillcrest Golf & Country Club, 2206 Mulberry, Yankton SD 57078 the holder and/or owner of Incorporated Water Right No. 5315-3 is issued a license to appropriate water, the right to use 1.42 cubic feet of water per second and 15.8 acre-feet of storage from groundwater (three wells) with priority dates of April 7, 1989 and September 8, 1958 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 Right No. 5315-3 and subject to South Dakota State Law.


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

FEB 22 1999

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 22 1999

5315-3

Hillcrest Golf & Country Club
Nathan Arnes, Accountant
2206 Mulberry
Yankton, SD 57078

Dear Mr. Arnes:

Enclosed is Water License No. 5315-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416032 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5315-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

ks
enclosures

NOTE: The applicable portions of Water Right No. 512-3 are incorporated into No. 5315-3.

5315-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 21 2020

Hillcrest Golf & Country Club
Waren Muller
2206 Mulberry St
Yankton SD 57078

Dear Mr. Muller:

Enclosed are Water Permit and Water License No. 8431-3. These are the final water right documents completing your process of obtaining a Water Right.

For your information SDCL 46-6-27 requires that if in the future the owner drills a replacement well and has no plan to use the old existing well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

A handwritten signature in cursive script, reading "Eric Gronlund".

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: The applicable portions of Water Right No. 5315-3 and Water Right No. 6319-3 are incorporated into this water license.