

Considered: _____

WATER PERMIT NO. 5348-3MAP No. SameName of Applicant Parkston Country ClubPost Office Address PO Box 21, Parkston SD 57366Amount of Water Claimed 0.22 cfs Total Acres 20Source of Water Supply ground water - 2 wellsWater to be used for irrigation County HutchinsonAbout 1 1/2 miles SE of Parkston

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Aug 14, 1989 Fee \$150.00 Remarks _____Corrected Application Received _____ Period of Annual Use Apr 1 - Oct 1

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

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

Diversion Point 2 wells: Lot A NE 1/4section 29-T99N-R60WLand to be Irrigated Lot A NE 1/4 section 29-T99N-R60W

		⊗ No. 2			
		29	⊗ No. 1		

Well Log: Driller unknown Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map plat ^{review} PREPARED BY Leon Edlund Reviewed and the Numberassigned on August 21, 1989 By Ron [Signature]

(See instructions)

No. <u>5348-3</u>	Hydrologic Unit <u>10160011</u>
Basin <u>James River</u>	
Newspaper <u>Parkston Advance, Box J (wed)</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 _____

1. Name of Applicant Parkston Country Club (non-profit) Phone No. 928-7958

Post Office Address c/o Francis Kurtenbach-Parkston State So. Dak. Zip Code 57366

(Street, RR or Box) (City)

2. Amount of water claimed (c.f.s) 0.22 Total acres irrigated approximately 18-20 acres

3. Source of Water supply 2 Existing Wells

4. Location of point of diversion Lot A- Northeast Quarter of Section 29,
Township 99 North, Range 60 West of
the 5th P.M. County Hutchinson

5. Counties where water will be used Hutchinson

6. Annual period during which water is to be used April 1 - October 1

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.
Lot A-NE $\frac{1}{4}$ -29-99-60	
Hutchinson County	
South Dakota	
(45 acres)	18-20

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: Sprinkler

9. Crops to be Irrigated: Golf course greens and fairways - nine hole course

10. Give a description of proposed project. (Attach sheet if more space is needed)
We have two (2) existing wells. We have been irrigating ten (10) grass greens for approximately 21 years from these wells. We would like to irrigate nine (9) fairways in order to bring our golf course up to date with surrounding rural courses. We do not intend to water roughs or any part of the course other than greens and fairways. We have a small nine hole course. The fairway yardage is approximately 2700 yards long by 30 yards wide.

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 Hutchinson ss

I, Robert Lorenz, 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 Robert Lorenz
President

Subscribed and sworn to before me this 11th day of August 19 89

[Signature]
Notary Public

SOUTH DAKOTA
WATER PERMIT No. 5348-3 FOR IRRIGATION

Date of first receipt of application August 14, 1989.

Date Soil/Water Compatibility Permit received September 1, 1989.

Date of return to applicant for corrections, amendments or changes August 22, 1989.

Date of receipt of corrected application August 23, 1989.

The Water Management Board approved Water Permit Application No. 5348-3 on September 28, 1989 for Parkston Country Club c/o Francis Kurtenbach, PO Box 21, Parkston SD 57366 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. 5348-3 appropriates 0.22 cubic feet of water per second from 2 existing wells (Choteau-Middle Aquifer) 285 feet and 320 feet deep to irrigate 20 acres of the Parkston Country Club. The wells and acreage to be irrigated are all located in Lot A NE1/4 section 29-T99N-R60W.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year 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: April 1 - October 1.
3. The date from which applicant may claim right is August 14, 1989.
4. One-fifth of the construction is to be completed on or before March 28, 1992.
5. All construction is to be completed on or before September 28, 1994.
6. Water is to be put to beneficial use on or before September 28, 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 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.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

DEC 26 1989

(date)

Supplemental Information

Well #1

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 4" Depth 320 feet 1968
- b) Casing Type galvanized Diameter 15 ft. 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 _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

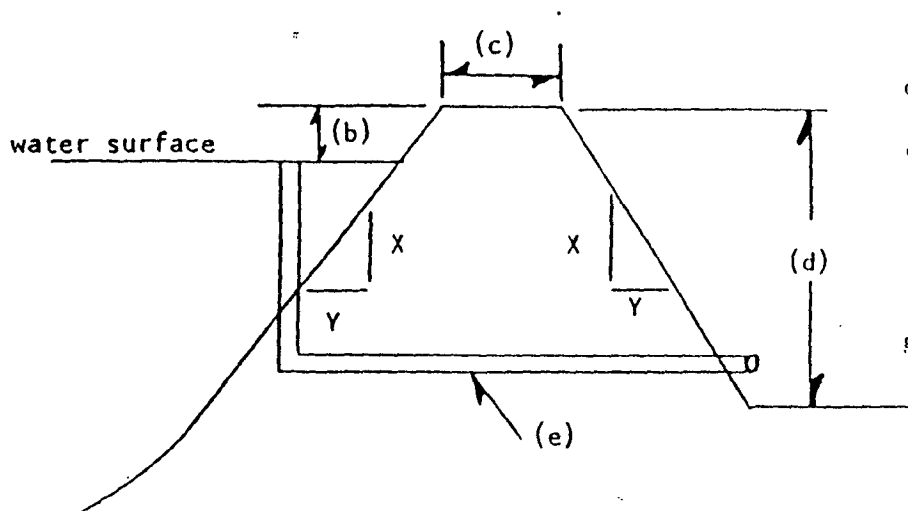
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

Supplemental Information

Well #2

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 4" Depth 285 feet 1968
- b) Casing Type galvanized Diameter 15 ft. 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 _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

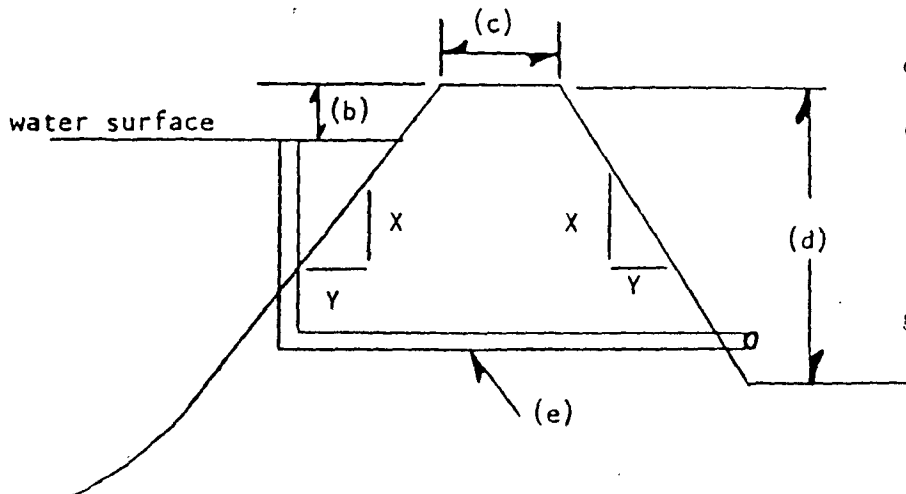
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

MICHAEL V. BRALEY
LAWYER
114 N. 1ST STREET
BOX 569
PARKSTON, SOUTH DAKOTA 57366

TELEPHONE
(605) 928-7958

August 11, 1989

Water Rights Division DWNR
Joe Foss Building
Pierre, South Dakota 57501



Parkston Golf Course-Irrigation Permit

Dear Sirs:

I am a member of the Board of Directors of the Parkston Country Club, a local, non-profit corporation which operates a nine hole golf course here in Hutchinson County.

We have had grass greens for approximately 20 years and have watered the same from two wells.

On behalf of the course, we are submitting an application to obtain a permit to irrigate our fairways. This would be approximately 18-20 acres. The application consists of the following:

- a) Form 2
- b) Form 2A
- c) Water sample results from the Water Quality Lab, Water Recourses Institute, SDSU.
- d) Map indicating locations of existing wells (marked in yellow marker).
- e) Area map indicating location of site in Liberty Township (Hutchinson County, South Dakota).
- f) Soil survey and code for site as prepared by the United States Dept. of Agriculture, Soil Conservation Service.

We do not have well log reports. The only information we have concerning the wells is listed on Form 2A.

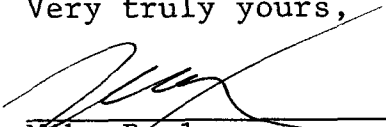
We have enclosed herein the statutory filing fees as regards this application. We will be more than happy to provide you with any other information required to make the enclosed application complete. We are eager to have the Notice advertised

Page 2

as soon as possible and to have your Board consider this application at its September meeting.

Thank you.

Very truly yours,


Mike Braley
Box 569
Parkston, South Dakota 5766

MVB:rw
Enc.



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411877

Pierre, August 14, 1989

RECEIVED OF Parishon Country Club, P.O. Box 21, Parishon, SD 57366-0021

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

Fee for Application for Permit No. <u>5348-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	150 00

By John Hatch (ma)
Chief Engineer

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation



Office Use Only

4401

WR#

OWNERS NAME: Parkston Country Club

OWNERS ADDRESS: c/o Francis Kurtenbach
Parkston, SD 57366

COUNTY LAND LOCATED IN: Hutchinson PHONE: 605-928-7958

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION Lot A-NE1/4 Sec. 29-T99N-R60W

Depth _____

Legal Description	Acres	Legal Description	Acres
<u>Lot A-NE1/4 Sec. 29-T99N-R60W</u>	<u>18-20</u>		

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

3. CROPS TO BE IRRIGATED: Golf course greens and fairways - nine hole course

WATER QUALITY:

4. WATER SAMPLE NUMBER: 89-0333

7. ADJUSTED (SAR): 7.59

5. SALINITY (EC X 10⁶): 1950

8. PERCENT SODIUM: 38.91

6. SODIUM (SAR): 3.45

Requirements:

That a buffer strip along Dry Creek not be irrigated to address the hazards of stream bank erosion and the high water table found in Chaska soils, channeled (Cb).

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.

John Quick

Director, Division of Conservation

Date

8/31/89

☒ APPROVED

☐ DISAPPROVED

☐ WAIVER

☒ REQUIREMENTS

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



State of South Dakota)
) SS
County of Hutchinson)

AFFIDAVIT

Leon Edlund, being first duly sworn, on his oath states as follows:

Affiant states that he is the County Executive Director of the Agricultural Stabilization & Conservation Service, located at Parkston, Hutchinson County, South Dakota.

Affiant further states of his own knowledge that the attached survey map fairly represents the location of the Parkston Country Club Golf Course locate as follows:

Lot A, Northwest Quarter of Section
29, Township 99 North, Range 60 West
of the 5th P.M., in Hutchinson County,
South Dakota.

Affiant further states that he is well acquainted with the aforesaid property and that the location of the two existing wells are as indicated on said survey map.

Finally, Affiant states that he knows of his own knowledge that the aforesaid property is owned by the Parkston Country Club, a non-profit corporation, incorporated in South Dakota, and open to the general public membership.

Dated this 11 day of August, 1989.

Leon Edlund

Subscribed and sworn to before me this 11th day of August,
1989.

(Seal)

Michael V. Braley
Hutchinson County

Notary Public
South Dakota

My commission expires June 13, 1990.



South Dakota State University
Brookings, South Dakota 57007



Water Resources Research Institute
Telephone 605-688-4910

July 27, 1989

Parkston Country Club
P.O. Box 21
Parkston, SD 57366

Dear Sir/Madam:

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 an unknown source and an unknown location. We have assigned it lab number 89-0333.

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 Calcium (Ca) and Sulfate (SO₄). 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 3.45 to 7.59 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 is marginal for use for irrigation purposes depending upon soil type, climate, and management. The high concentration of salts in the water (EC) coupled with the high amount of sodium in the water indicate that either soil salinization or loss of soil permeability could be a problem depending upon the soil you intend to irrigate, its drainage characteristics, and the management used. The probability for economic and managerial success using this water is marginal.

The boron level for this water (1.40 ppm) poses a medium 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 OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

07-27-1989

Hutchinson

Name: Parkston Country Club
Address: P.O. Box 21
Parkston, SD 57366

Date Rec'd
Sample No.
Source
Legal ID

JUL 20, 1989
89-0333

WATER ANALYSIS

Calcium (Ca)	218	ppm*	10.88	me/l**
Magnesium (Mg)	33	ppm	2.71	me/l
Sodium (Na)	207	ppm	9.00	me/l
Potassium (K)	21	ppm	0.54	me/l
Sulfate (SO ₄)	862	ppm	17.95	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	62	ppm	1.75	me/l
Bicarbonate (HCO ₃)	154	ppm	2.52	me/l
Carbonate (CO ₃)	0	ppm	0.00	me/l
Iron (Fe)		ppm		me/l
Flouride (F)		ppm		me/l
Manganese (Mn)		ppm		
Boron (B)	1.40	ppm		
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Total solids		ppm		
Total Cations			23.13	me/l
Total Anions			22.22	me/l
Alkalinity (Methyl Orange)	126	ppm(as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm(as CaCO ₃)		
Electrical Conductivity	1950	micromhos per cm at 25 C		
Sodium Adsorption Ratio	3.45	Adjusted SAR	7.59	
Sodium	38.91	% of Cations		
Residual Sodium Carbonate	0.00	me/l		
pH	7.22			

Others:
*ppm=parts per million
**me/l=millequivalents per liter
***g.p.g.=grains per gallon

COMMENTS:

Analysis By: Shirley Mittan

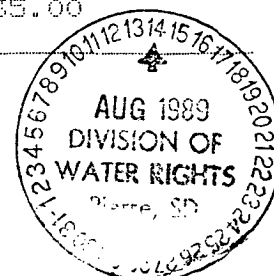
Service Performed:
Irrigation Analysis

Total Cost: \$ 35.00
Amount Received: 0.00
Balance Due: 35.00

Make checks payable to: SDSU Water Quality Lab

Please write lab number on your check!

Lab No. 89-0333



Conversation or File Documentation

NAME OF PERSON OR FILE: Parkston Country Club

ADDRESS: _____ COUNTY _____

DATE: August 22, 1989 TELEPHONE _____RE: map for application

COMMENTS:

Contacted Parkston Country Club via phone
and informed the club that a signed map needed
to accompany the application.

The map was received August 23, 1989.

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.

MICHAEL V. BRALEY
LAWYER
114 N. 1ST STREET
BOX 569
PARKSTON, SOUTH DAKOTA 57366

TELEPHONE
(605) 928-7958

August 22, 1989

Mr. Ron Duvall
Water Rights Division
D.W.N.R.
Joe Foss Building
Pierre, South Dakota 57501



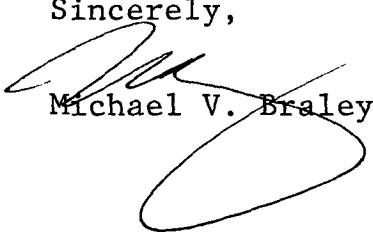
Re: Parkston Golf Course-Irrigation Permit

Dear Ron:

As per your request, I have enclosed herein an ASCS area photograph of the property in question. The relative location of both wells has been marked in red. Also attached hereto please find a statement from the local ASCS director verifying the same.

Once again, thank you for your prompt attention to this matter.

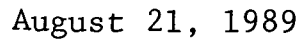
Sincerely,


Michael V. Braley

MVB:rw
Enclosure



**Agricultural
Stabilization and
Conservation Service**



TO WHOM IT MAY CONCERN:

The attached map of Section 29-99-60 is to reveal the two wells that are presently located in Lot A NE-29-99-60 for the Parkston Golf Course are identified by the two red dots on the attached map.

Leon Edlund
County Executive Director
Hutchinson County ASCS Office

John Edlund

Conversation or File Documentation

NAME OF PERSON OR FILE: Parkston Country ClubADDRESS: PO Box 21, Parkston SD COUNTY HutchinsonDATE: August 28, 1989 TELEPHONE _____

RE: _____

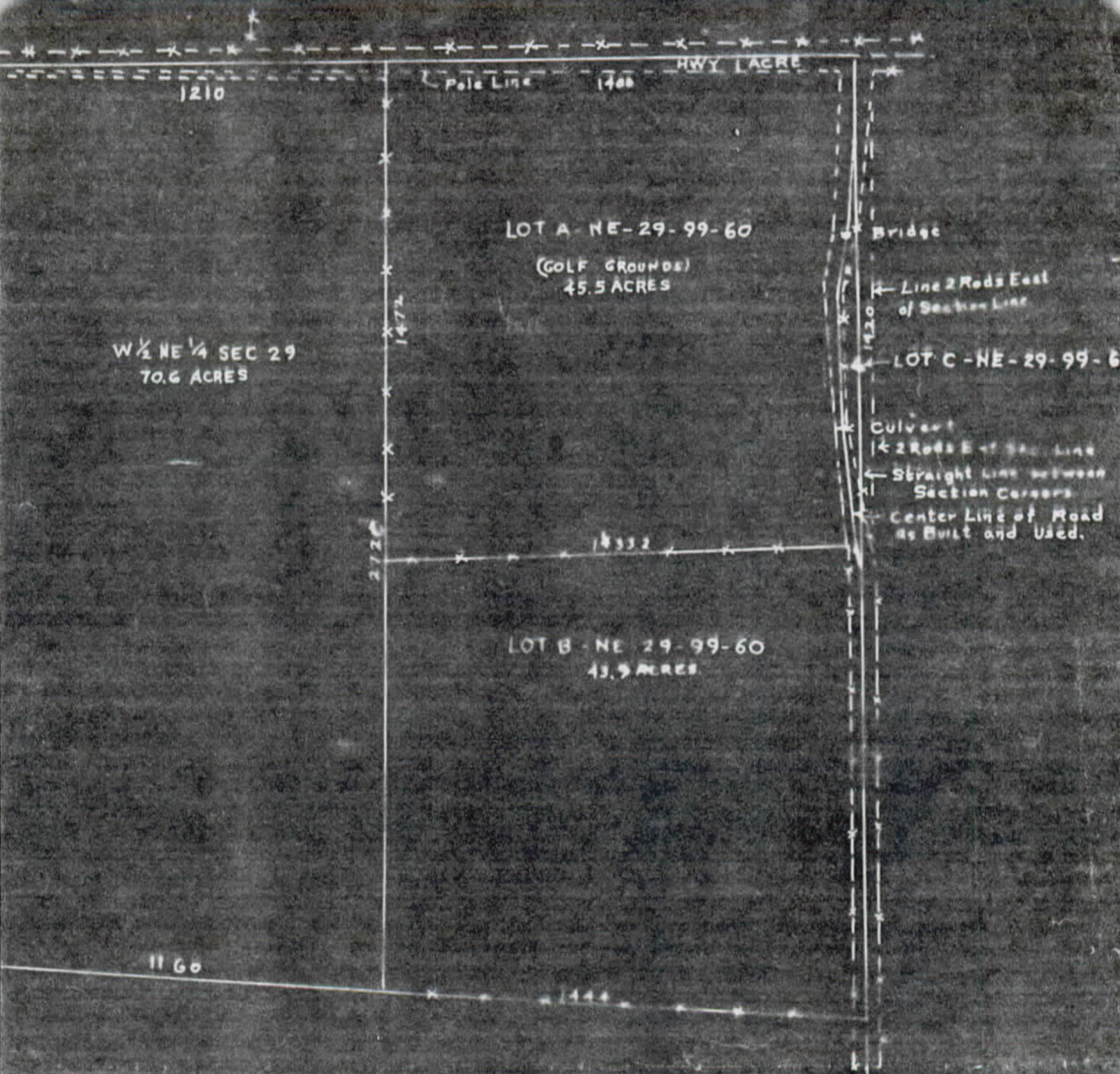
COMMENTS:

Contacted Michael Braley law office, spoke to secretary, regarding the soil/water compatibility permit. The secretary was informed that the S/W permit needed to be approved prior to the Board considering the water permit application. The application may need to be delayed and rescheduled for hearing if the S/W permit is not approved prior to the Sept. 27 Board meeting.

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.

NOT TO SCALE





PLAT OF LOTS A, B, AND C, NE-29-99-60

Edward K. Mather, a duly licensed Land Surveyor in and for the State of South Dakota, do hereby certify that on request of the owners I have plotted from survey Lots A, B, and C-29-99-60. On account of condition of the ground I have accepted lines of occupation as agreed to by abutting owners as the boundary of the same. The highway on the east side of Lots A-NE-29-99-60 is curved. I am accepting the approximate center line of the highway as graded, graveled, fenced on the east side, and used as the eastern boundary of said Lot A. The boundaries are as fenced or used.

Lot A NE-29-99-60 includes 45.5 acres lying west of the center line of the highway including a bridge and road as built and used.

Lot B NE-29-99-60 includes 43.9 acres as fenced and used.

Lot C NE-29-99-60 includes 1.7 acres lying east of the center line of the highway and west of a straight line of the Section line along the east side of said Section 29. The owner of the northwest quarter of Section 28 has possession and use of approximately 0.7 acres of pasture land on Section 29 and the northwest quarter of Section 28 that ordinarily is fenced as a part of the highway easement and that he would not be abated if it were straight between Section corners.

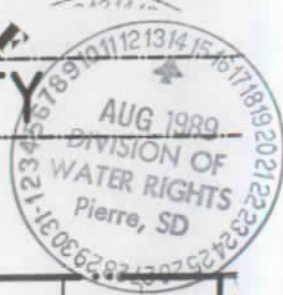
And the west half of the northeast of Section 29 as fenced and occupied includes 70.6 acres.

IN WITNESS Whereof I have hereunto set my hand and seal this 26 day of July, 1961.

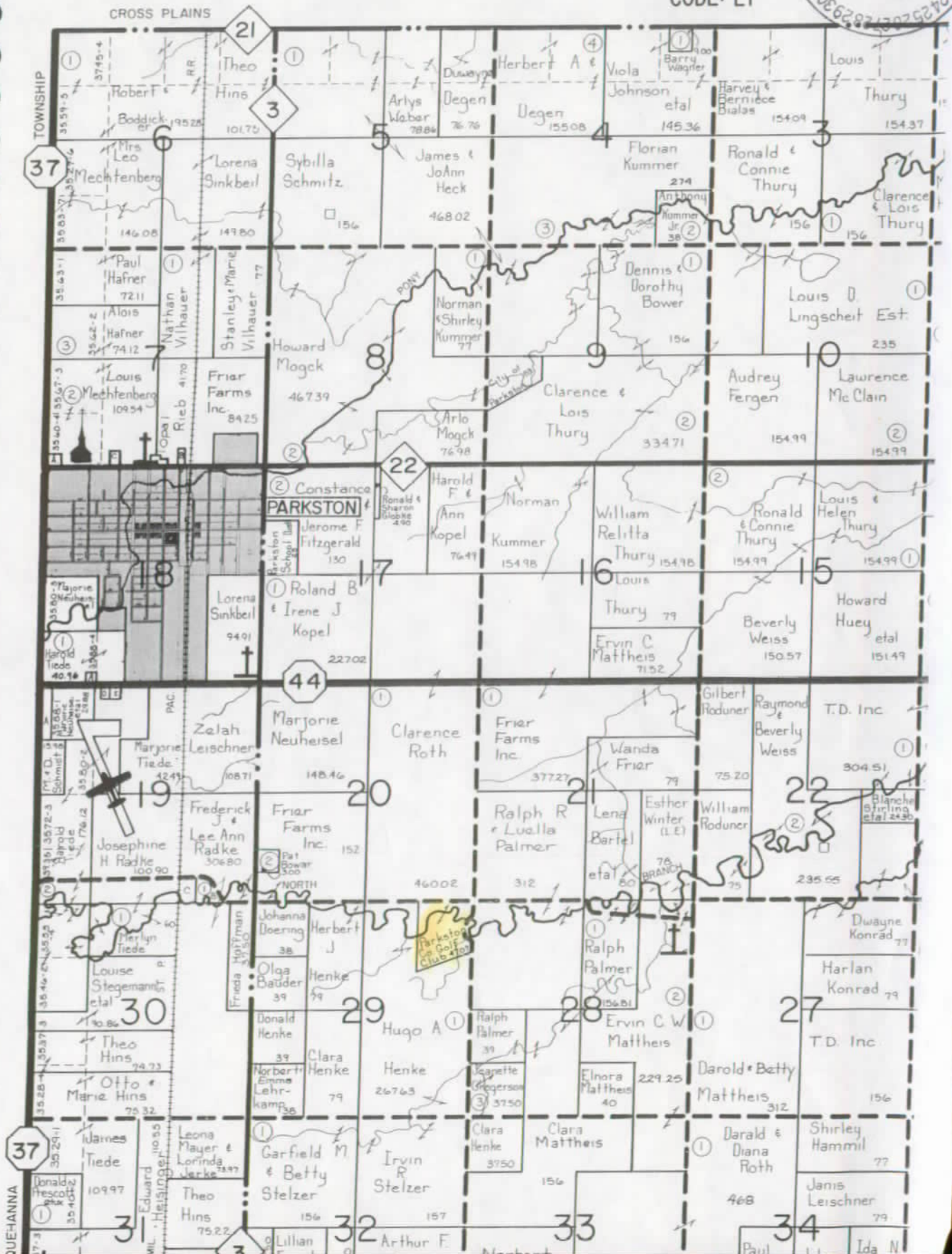
Edward K. Mather
Licensed Land Surveyor

Appl. No. 5348-3

MAP OF LIBERTY



CODE: LI



REPORT ON APPLICATION NO. 5348-3
PARKSTON COUNTRY CLUB
August 28, 1989

This application proposes to appropriate 0.22 cfs from 2 existing wells which are 285 feet and 320 feet deep to irrigate 20 acres of the Parkston Country Club. The wells and acreage to be irrigated are both located in Lot A, NE 1/4 of Section 29, T99N, R60W in Hutchinson County.

Aquifer - Choteau Middle (CH-M)

The Choteau Middle Aquifer consists of buried outwash and western origin stream deposits (Kume, 1977). The aquifer underlies 22,300 acres and contains 117,080 acre feet of recoverable water (Hedges, 1982). These are very conservative estimates. The aquifer is under artesian conditions and is hydrologically connected to the Choteau West Aquifer to the west, the Lower James Missouri Aquifer to the east and the Niobrara, Codell and other outwash to the north.

The Division of Water Right monitors seven CH-M observation well in northwestern Hutchinson County. Water levels for these wells fluctuate due to pumping from this aquifer. Actual seasonal fluctuations amount to 6-15 feet per year which is somewhat dependent upon the type of year (wet or dry) and the distance from a production well. Historically, the system does recharge, in fact, water levels were at all time highs in 1986 and 1987 due to recharge. (Water Rights, 1989).

Review of Existing Water Permits

There are 4 existing permits from the CH-M Aquifer within 3 miles of this application. Three Permit Nos. 1060-3, 1869-3 and 5138-3 are for municipal use by the City of Parkston and Permit No. 5105-3 is for Al's Foodtown. Interference should not be a problem. Drawdowns do occur in this area resulting from pumping, but the historical record indicates this is not adversely affecting the aquifer. The proposed diversion rate for this application is relatively small and is nearly 2 miles away from the nearest permitted diversion.

Conclusions

1. Water is available from the CH-W Aquifer.
2. Interference should not be a problem. Historical water level records indicates water level fluctuations do occur but that does not adversely affect water availability from the aquifer.

3. The aquifer does recharge as evidenced by the rise in water levels during wet years.
4. There is very little well construction data available. These are existing wells and have been used for over twenty years.
5. This will be an expansion of irrigated area and soil water compatibility is not approved at this time.


JAMES A GOODMAN
Hydrologist

Bibliography

- Hedges, L.S., Etal., 1982, Evaluation of Ground Water Resources Eastern South Dakota and Upper Big Sioux River SD and Iowa, for US Army Corps of Engineers, DWNr, SDGS, Vermillion SD.
- Kume, J., 1977, Geology and Water Resources of Charles Mix and Douglas Counties, South Dakota, Park II Water Resources, Bulletin 16, USGS, Huron SD.
- Water Rights, 1989, Observation Well Records for CH-W Aquifer in Hutchinson County, SD DWNr, Div. of Water Rights, Joe Foss Building, Pierre SD 57501.

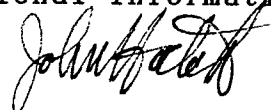
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5348-3, Parkston Country Club

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. 5348-3, Parkston Country Club, c/o Francis Kurtenbach, PO Box 21, Parkston SD.

The Chief Engineer is recommending APPROVAL of Application No. 5348-3 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 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.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
August 28, 1989



Department of Water & Natural Resources

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

August 28, 1989

Parkston Advance
Box J
Parkston SD 57366

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5348-3 to be published twice. Please publish the first notice on or before August 30, 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 Parkston Country Club, c/o Francis Kurtenbach, PO Box 21, Parkston SD 57366.

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 _____





Department of Water & Natural Resources

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

August 28, 1989

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

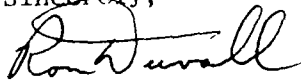
Parkston Country Club
c/o Francis Kurtenbach
PO Box 21
Parkston SD 57366

Dear Mr. Kurtenbach:

Water Permit Application No. 5348-4 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Parkston Advance printed at Parkston SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. 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



Instruction to Newspaper - Publish first Notice on or before August 30, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5348-3 to Appropriate Water

Notice is given that the Parkston Country Club, c/o Francis Kurtenbach, PO Box 21, Parkston SD 57366 has filed an application for a water permit to appropriate 0.22 cubic feet of water per second from 2 existing wells (Choteau Middle Aquifer) 285 feet and 320 feet deep to irrigate 20 acres of the Parkston Country Club. The wells and acreage to be irrigated are both located in Lot A NE 1/4 Section 29-T99N-R60W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5348-3 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 on September 27, 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 September 15, 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 September 15, 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
COUNTY OF HUTCHINSON

EDWARD J. EHLE, BEING DULY SWORN,
SAYS: THAT THE PARKSTON ADVANCE
IS, AND DURING ALL THE TIMES HERE-
INAFTER MENTIONED WAS, A WEEKLY
LEGAL NEWSPAPER AS DEFINED IN SDCL
17-2-2, AS AMENDED, PUBLISHED AT
PARKSTON, HUTCHINSON COUNTY,
SOUTH DAKOTA BY THE PARKSTON
ADVANCE, INC.; THAT AFFIANT IS
AND DURING ALL OF SAID TIMES WAS,
AN EMPLOYEE OF THE PUBLISHER OF
SUCH NEWSPAPER AND HAS PERSONAL
KNOWLEDGE OF THE FACTS STATED IN
THIS AFFIDAVIT; THAT THE NOTICE,
ORDER OR ADVERTISEMENT, A PRINTED
COPY OF WHICH IS ATTACHED, WAS
PUBLISHED IN SAID NEWSPAPER FOR
2 SUCCESSIVE ISSUES, BEARING THE
FOLLOWING DATES:

AUGUST 30, 1989
SEPTEMBER 6, 1989

THAT THE FULL AMOUNT OF THE FEE
CHARGED FOR PUBLISHING THE SAME,
TO-WIT, THE SUM OF \$ 36.37,
INURES SOLELY TO THE BENEFIT OF
THE PUBLISHER OF SAID NEWSPAPER;
THAT NO AGREEMENT OR UNDERSTAND-
ING FOR THE DIVISION OF THE FEE
HAS BEEN MADE WITH ANY PERSON,
AND THAT NO PART OF THE FEE HAS
BEEN AGREED TO BE PAID TO ANY
OTHER PERSON.

Edward J. Ehler

SUBSCRIBED AND SWORN TO BEFORE
ME THIS 6TH DAY OF SEPTEMBER
A.D., 1989

Rheta A. Ehler
NOTARY PUBLIC, COUNTY OF
HUTCHINSON, SOUTH DAKOTA

MY COMMISSION EXPIRES
JANUARY 12, 1990

NOTICE OF HEARING
on Application No. 5348-3
to Appropriate Water

Notice is given that the Parkston
Country Club, c/o Francis Kurten-
bach, P.O. Box 21, Parkston, SD 57366
has filed an application for a water
permit to appropriate 0.22 cubic feet
of water per second from 2 existing
wells (Choteau Middle Aquifer) 285
feet and 320 feet deep to irrigate 20
acres of the Parkston Country Club.
The wells and acreage to be irrigated
are both located in Lot A NE 1/4 Section
29-T99N-R60W.

Pursuant to SDCL 46-2A-2, the Chief
Engineer of the Water Rights Division
recommends APPROVAL of Applica-
tion No. 5348-3 because 1) unap-
propriated water is available, 2) exist-
ing rights will not be unlawfully im-
paired, 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 on September 27, 1989, at 10:00
a.m. The Chief Engineer's recommen-
dation is not final or binding upon the
Board. The Board is authorized to 1)
approve, 2) approve with qualifica-
tions, 3) defer or 4) deny this applica-
tion 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 September 15, 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 infor-
mal, 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 obtain-
ed. The applicant need not file a peti-
tion. Contact the Water Rights Divi-
sion to request information on this ap-
plication or to assure access to the
hearing by the handicapped.

This hearing is an adversary pro-
ceeding. 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 Cir-
cuit Court and State Supreme Court as
provided by law. The time of the hear-
ing 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
September 15, 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.



Department of Water & Natural Resources

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

DEC 26 1989

Parkston County Club
c/o Francis Kurtenbach
PO Box 21
Parkston SD 57366

Dear Mr. Kurtenbach:

Enclosed is Water Permit No. 5348-3 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,

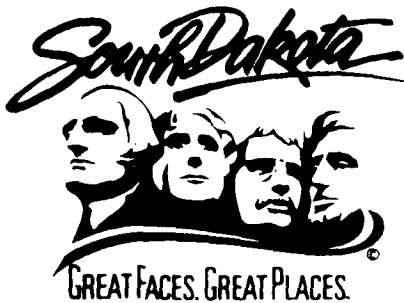
A handwritten signature in black ink, appearing to read "John Hatch".

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 14 1994

5589-3

Dan Neugebauer
Parkston Country Club
P.O. Box 21
Parkston, SD 57366

Dear Mr. Neugebauer:

Enclosed is Water License No. 5589-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413454 in the amount of \$50.00 which you paid for the inspection 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. 5589-3, 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 Division
(605) 773-3352

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enclosures

NOTE: The applicable portions of Water Permit No. 5348-3 have been incorporated into this Water License No. 5589-3.