

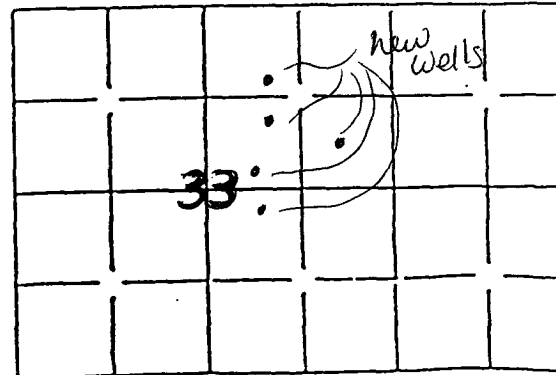
MAP No. same 226-0900

Name of Applicant Mocassin Creek Country Club
Post Office Address P.O. Box 163 Aberdeen SD 57401
Amount of Water Claimed no add'l Total Acres no add'l
Source of Water Supply groundwater - 5 wells
Water to be used for irrigation County Brown
About 2 miles NE of Aberdeen

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

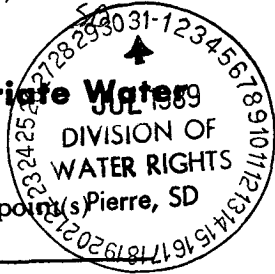
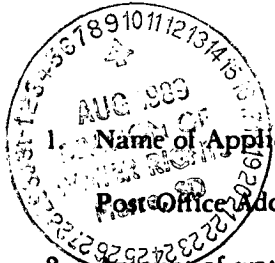
PRIORITY _____ Date Received July 31, 1989 Fee \$50 Remarks _____July 31, 1989Corrected Application Received Aug 9, 1989 Period of Annual Use May 1 - Oct 31WATER QUALITY APPROVAL RECEIVED Aug 22, 1989 APPROVED/CONDITIONAL (Circle one)WI-1 Description same as Application YES ☒ NO _____ REMARKS _____Diversion Points E 1/2 Section 33-T24N-
R63WLand to be Irrigated E 1/2 Section 33-T24N-
R63WWell Log: Driller Huron Drilling Licensed YES ☒ NO _____Depth of Well 100' REMARKS test holeType of Map plat PREPARED BY Doug Ochs Reviewed and the Number
assigned on August 22, 1989 By Susan Bowar

(See instructions)

No. 5349-3 Hydrologic Unit 10160003
Basin James R.
Newspaper Aberdeen American News Box 4430
57401 CO

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 Mocassin Creek Country Club Phone No. 226-0900
- Post Office Address P.O. Box 163 Aberdeen State SD Zip Code 57401
(Street, RR or Box) (City)
- Amount of water claimed (c.f.s) No additional Total acres irrigated No additional
- Source of Water supply groundwater - 5 wells
- Location of point of diversion 1 well NW 1/4 NE 1/4 33 T124N R63W - 16W - 2 wells SW 1/4 NE 1/4 33-124N-63W
1 well - SE 1/4 NE 1/4 33-124N-63W 1 well - NW 1/4 SE 1/4 33-124N-63W
All wells flow into Pond in SE 1/4 NE 1/4 and distributed from here County Brown
- Counties where water will be used Brown
- Annual period during which water is to be used May 1 - October 31
- 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.
NE 1/4 NE 1/4 33 T124N R63W	10
NW 1/4 NE 1/4 33 T124N R63W	1
SE 1/4 NE 1/4 33 T124N R63W	14
SW 1/4 NE 1/4 33 T124N R63W	5

Land Description	No. Acres Irr.
NE 1/4 SE 1/4 33 T124N R63W	15
SE 1/4 SE 1/4 33 T124N R63W	15
NW 1/4 SE 1/4 33 T124N R63W	5
SW 1/4 SE 1/4 33 T124N R63W	10

Attach sheet if more space is needed

- Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: _____ (Specify) _____
- Crops to be Irrigated: _____
- Give a description of proposed project. (Attach sheet if more space is needed)

Five wells in addition to the 13 wells authorized by Water Right No. 1667-3.

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 Brown)^{ss}

I, Bruce Mitchell, 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 Bruce Mitchell Pres.
Bruce Mitchell President

Subscribed and sworn to before me this 7 day of August 1988
Reba J. Luet
Notary Public
My commission expires March 19, 1994

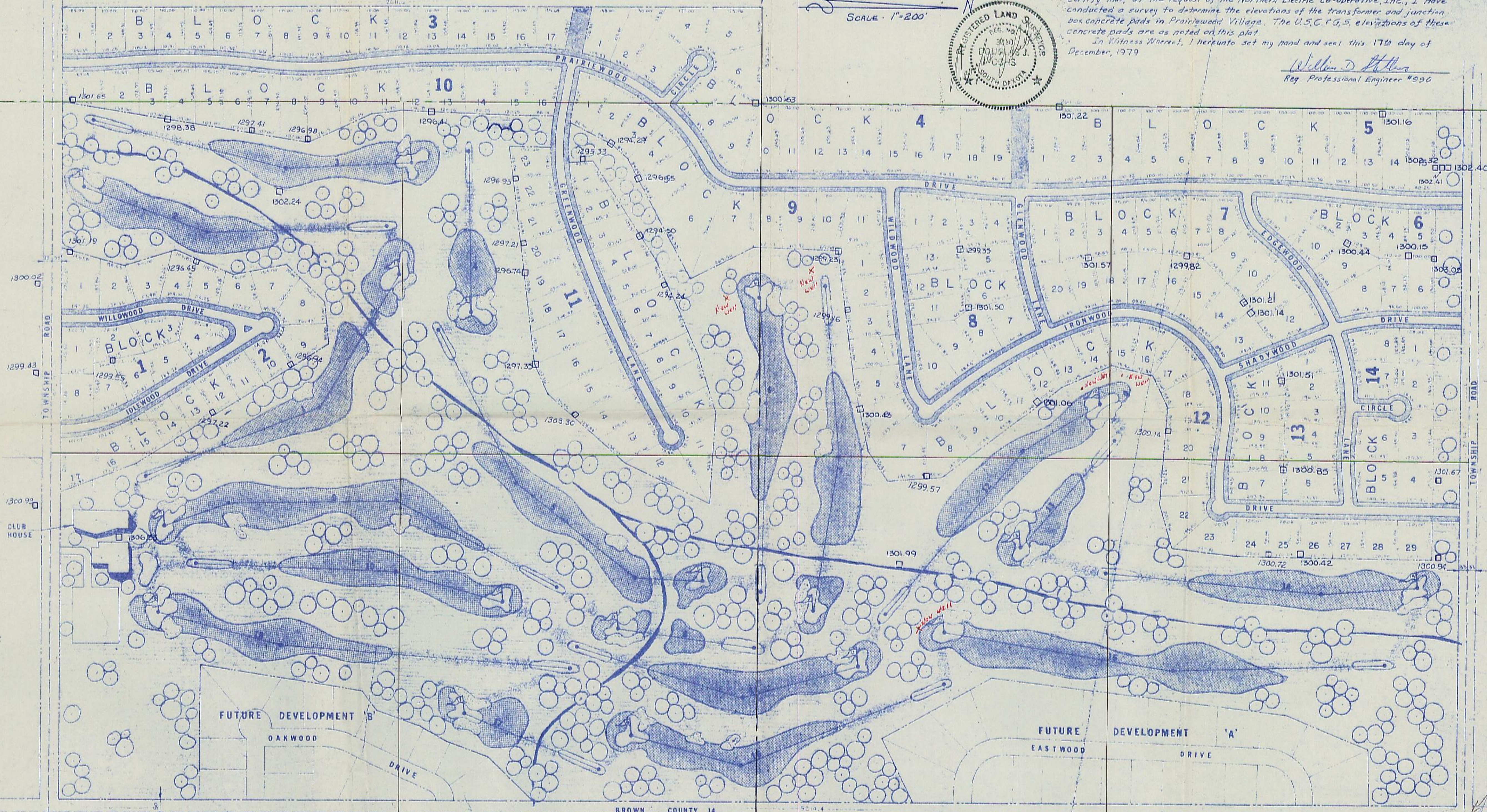
I, William D. Stellner, Registered Professional Engineer #990, do hereby certify that, at the request of the Northern Electric Co-operative, Inc., I have conducted a survey to determine the elevations of the transformer and junction box concrete pads in Prairiewood Village. The U.S.C.F.G.S. elevations of these concrete pads are as noted on this plat.

In Witness Whereof, I hereunto set my hand and seal this 17th day of December, 1979.

William D. Stellner
Reg. Professional Engineer #990

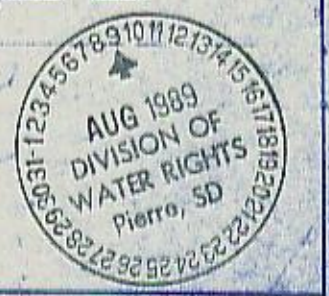


SCALE 1"=200'



Appl. No. 5349-3

NE corner
Section 33
T124N
R63W



SOUTH DAKOTA
WATER PERMIT No. 5349-3 FOR IRRIGATION

Date of first receipt of application July 31, 1989.

Date Soil/Water Compatibility Permit received August 22, 1989.

Date of return to applicant for corrections, amendments or changes August 1, 1989.

Date of receipt of corrected application August 9, 1989.

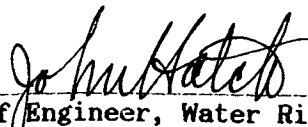
The Water Management Board approved Water Permit Application No. 5349-3 on December 7, 1989 for Moccasin Creek Country Club, PO Box 163, Aberdeen SD 57401 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5349-3 is for 5 additional wells (Elm Aquifer:Northern Brown) 30 feet deep to irrigate 75 acres of the golf course. The wells are to be located in the W1/2 NE1/4, SE1/4 NE1/4, NW1/4 SE1/4 and the 75 acres are located in the E1/2; all in section 33-T124N-R63W. This permit does not increase in the diversion rate (0.89 cubic feet of water per second) authorized by Water Right No. 1667-3 for irrigation of the 75 acres.
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: May 1 - October 31.
3. The date from which applicant may claim right is February 26, 1969 (see Water Right No. 1667-3).
4. One-fifth of the construction is to be completed on or before June 7, 1992.
5. All construction is to be completed on or before December 7, 1994.
6. Water is to be put to beneficial use on or before December 7, 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. Approval of Permit No. 5349-3 grants a variance to Water Management Board Rule 74:02:04:28 with approximately 10 feet of grout required.
3. 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.
4. 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

MAR 21 1990
(date)

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 4 inch Depth 30 feet
- b) Casing Type PVC Diameter _____ Thickness _____
- c) Screen Type slotted PVC Diameter _____ Thickness _____
- d) Gravel Pack Thickness none Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 10 feet
- f) Depth to Water (ground surface to water level) 10 feet
- g) Distance to nearest existing domestic well:
 On applicants property none On property owned by others 1000 feet

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 _____

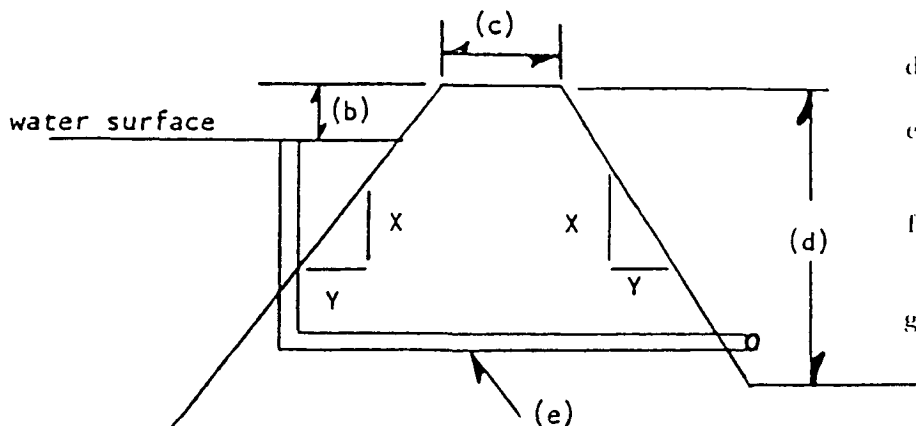
g) X & Y Slope
 Upstream _____

Downstream _____

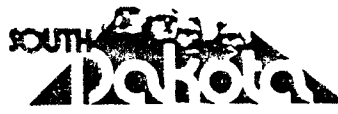
Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Morgan Creek Country Club
by Bruce Mitchell Pres.
 Signature of Applicant



Department of Water & Natural Resources

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

June 5, 1989

Moccasin Creek Country Club
c/o Bruce Mitchell
4246 Ironwood Dr.
Aberdeen SD 57401

Dear Mr. Mitchell:

A well drillers report filed with this office by Huron Drilling, Inc. indicates you have recently completed a new well. The well driller is required by South Dakota Codified Laws (SDCL 46-6-11) to file a well construction report within 30 days of completion.

The purpose of the enclosed "Summary of South Dakota Water Law and Water Right Information" is to provide general information and to inform you of the responsibilities you have incurred. Specifically:

1. According to South Dakota Water Rights Law (SDCL 46-1-15, 46-5-9, 46-5-10), it is necessary to obtain a water permit to appropriate waters of this state. An exception to this requirement is for water used for domestic purposes. Domestic water uses that do not require a permit are listed under item 5 on the enclosed summary. Those activities that require permits are listed under item 7.
2. If your new well was drilled as a replacement well and if you do not plan to use the old well, the old well is considered abandoned and must be plugged pursuant to SDCL 46-6-27. Other abandoned wells must also be plugged.
3. If the old well is not to be abandoned, or will be used, the well must be sealed or capped at the surface pursuant to SDCL 46-6-27.

Based upon the information we have, you may need a water permit. Since we have no record of a water permit for this well, I am enclosing application forms and an instruction sheet for preparing a water right permit application.



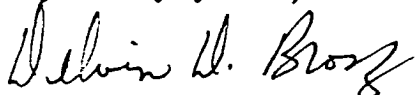
Please complete the application and submit it with the required fee to the "Water Rights Division, Joe Foss Building, 523 E. Capitol, Pierre, SD 57501" by July 21, 1989.

The Centennial Environmental Protection Act (House Bill 1291) as passed by the 1989 Legislature included Section 46 (SDCL 34A-3A-18) which states:

"Following completion of any new well for domestic use, a water quality sample shall be collected and submitted to the department of health laboratory or another laboratory approved by the department. If the well flows or if the well driller installs the pump, the well driller shall collect and submit the water quality sample. If the pump is not installed by the well driller, the owner shall collect and submit the water sample. The completed analysis shall be submitted to the department by the well driller or owner within thirty days after the submittal of well completion report which is filed with the department pursuant to 46-6-11. At a minimum, the water sample shall be analyzed for nitrate, coliform bacteria, sodium, conductivity and sulfate. Other contaminants may be analyzed for at the option of the well owner or driller. The owner or well driller shall pay for the cost of all analyses."

If you have questions or need assistance contact Susan Bowar, Water Rights Division Engineer (605-773-3352).

Very truly yours,



DELVIN D BROSZ, P.E.
Hydrologist
for JOHN HATCH, Chief Engineer
Water Rights Division

cc: well driller

enclosure

Moccasin Creek Country Club

P. O. BOX 163
ABERDEEN, SOUTH DAKOTA 57401

June 7, 1989

South Dakota Department of
Water & Natural Resources
Joe Foss Bldg.
523 East Capitol
Pierre, SD 57501



RE: Well Drillers Report Huron Drilling.

Dear Sirs:

The well that Moccasin Creek Country Club dug is a test well to check on the quality and quantity of the available water.

It will not be pumped as a well at this time. If and when we decide to dig a larger well a permit will be applied for.

Thank You,

Bruce Mitchell
President, Board of Directors

BM/jl



1667-3

Moccasin Creek Country Club

P. O. BOX 163

ABERDEEN, SOUTH DAKOTA 57401

June 19, 1989

South Dakota Department
of Water & Natural Resources
Joe Foss Bldg.
523 East Capitol
Pierre, SD 57501



Dear Sir or Madam,

In regards to our permit issued to Moccasin Creek Country Club for 13 wells. Could we have you mail to us a copy of the application and also a copy of the permit. Call if you have any questions, 226-0900, Julie.

Thank You.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Mitchell".

Bruce Mitchell
President, Board of Directors

BM/jl





Department of Water & Natural Resources

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

June 27, 1989

Bruce Mitchell, President
Moccasin Creek Country Club
PO Box 163
Aberdeen SD 57401

Dear Mr. Mitchell:

This letter is in response to your written request dated June 19, 1989 for a file copy of Water Right No. 1667-3. Enclosed is the information you requested.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Duvall".

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.



Moccasin Creek Country Club

P. O. BOX 163

ABERDEEN, SOUTH DAKOTA 57401

July 28, 1989

Water Rights Div.
523 E. Capitol
Pierre, S.D. 57501



Dear Sirs,

Enclosed is an application for additional diversion wells. The test well that was dug in April, 1989 will not be developed. The quantity of the water is not sufficient to warrant the cost of developing. It has been capped.

A sample of one of our shallow wells has been sent to Brookings for analysis. We thought we had analysis of our present wells but we are unable to locate them.

Yours very truly,

Bruce Mitchell

Enclosures

BM/jl





Department of Water & Natural Resources

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

August 1, 1989

Bruce Mitchell, President
Moccasin Creek Country Club
P.O. Box 163
Aberdeen, SD 57401

Dear Mr. Mitchell:

This letter is in reference to the water permit application received from you on July 31, 1989.

The application is incomplete for the following reason(s):

- (1) A map clearly showing both the location of the acreage to be irrigated and the locations of the 5 new wells must be submitted. It must be signed by a South Dakota Registered Professional Engineer, a South Dakota Licensed Land Surveyor, or by a government employee who normally prepares maps as part of their regular duties (see enclosed instruction sheet).
- (2) I am enclosing partially completed water permit application forms. This is the form that is used when applying for appropriation of water for irrigation purposes. Please complete question nos. 2 (2 parts), 4, and 7. The legal descriptions of the locations of the wells and irrigated acreages should include the quarter-quarter, section, township, and range. Your existing Water Right No. 1667-3 authorizes the withdrawal of 0.89 cubic feet of water per second (approximately 400 gallons of water per minute) from 13 wells to irrigate 75 acres of a golf course. If you will not be increasing your pumping capacity please indicate 'no add'l' under the first part of question no. 2. If you are increasing the pumping capacity, please indicate the amount. If the number of irrigated acres is to remain at 75, please indicate 'no add'l' under the second part of question no. 2.
- (3) The required application fee needs to be submitted. If no additional water is being requested, the fee is \$50. If additional water is being requested, the fee will be based upon the increase in water. The fee schedule is outlined on the enclosed instruction sheet.
- (4) A test hole log is also required to be submitted with the application. Although a well will not be developed from the test hole for which we received a log in May, I will attach a copy of this log to your application.

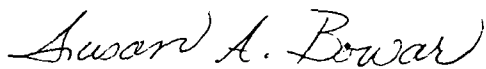


August 1, 1989
Moccasin Creek Country Club
page 2

The Water Management Board cannot consider a water permit application until it is complete and until an approved Soil/Water Compatibility Permit is received from the Department of Agriculture. Please complete the enclosed application form and return it, signed and notarized, along with the required map and fee to begin processing of your water permit application.

Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Susan A. Bowar".

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosures

Moccasin Creek Country Club

P. O. BOX 163

ABERDEEN, SOUTH DAKOTA 57401

August 7, 1989

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
Joe Foss Bldg.
523 East Capital
Pierre, SD 57501-3181



Dear Ms. Bowar,

Enclosed is a completed application and map of Moccasin Creek and a check as requested in your letter of August 1, 1989. The drilling log attached is the test hole wher a new well will be dug on the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of 33-124 N - 63 W Brown County.

If there is anything else that you need please give me a call or drop me a note.

Yours very truly,

Bruce Mitchell
President, Moccasin Creek Country Club

Enclosure

BM/j1



SOIL/WATER COMPATIBILITY PERMIT

Division of Conservation

Office Use Only

4400

WR#

OWNERS NAME: Mocassin Creek Country Club OWNERS ADDRESS: P.O. Box 163
Aberdeen, SD 57401

COUNTY LAND LOCATED IN: Brown PHONE: 605-226-0900

LEGAL DESCRIPTION:

☒ Well☐ Surface

1. LOCATION NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33-T124N-R63W (1); SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33-T124N-R63W (2);
Depth SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33-T124N-R63W (1); NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33-T124N-R63W (1)

Legal Description	Acres	Legal Description	Acres
<u>NE$\frac{1}{4}$ NE$\frac{1}{4}$ Sec. 33-T124N-R63W</u>	<u>10</u>	<u>NE$\frac{1}{4}$ SE$\frac{1}{4}$ Sec. 33-T124N-R63W</u>	<u>15</u>
<u>NW$\frac{1}{4}$ NE$\frac{1}{4}$ Sec. 33-T124N-R63W</u>	<u>1</u>	<u>SE$\frac{1}{4}$ SE$\frac{1}{4}$ Sec. 33-T124N-R63W</u>	<u>15</u>
<u>SE$\frac{1}{4}$ NE$\frac{1}{4}$ Sec. 33-T124N-R63W</u>	<u>14</u>	<u>NW$\frac{1}{4}$ SE$\frac{1}{4}$ Sec. 33-T124N-R63W</u>	<u>5</u>
<u>SW$\frac{1}{4}$ NE$\frac{1}{4}$ Sec. 33-T124N-R63W</u>	<u>5</u>	<u>SW$\frac{1}{4}$ SE$\frac{1}{4}$ Sec. 33-T124N-R63W</u>	<u>10</u>

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

3. CROPS TO BE IRRIGATED: _____

WATER QUALITY:

4. WATER SAMPLE NUMBER: 89-0356 7. ADJUSTED (SAR): 3.23
5. SALINITY (EC X 10⁶): 1300 8. PERCENT SODIUM: 20.40
6. SODIUM (SAR): 1.23

Requirements:

That a buffer strip along the creek be maintained to prevent stream bank erosion and that strip not be irrigated.

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.



☒ APPROVED
☐ DISAPPROVED
☐ WAIVER

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

Director, Division of Conservation

Date

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, August 9, 1989

RECEIVED OF Moccasin Creek Country Club, Box 163, Aberdeen, SD 57402-0163

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

Fee for Application for Permit No. <u>5349-3</u> to Appropriate Water, to construct works and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

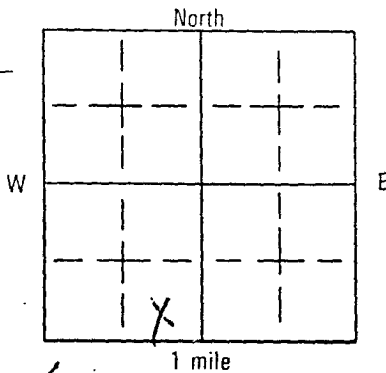
By John Hatch (mra)
Chief Engineer John Hatch/mra

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location S 1/4 Sec 8 Twp 123 Rg 63County Blumen

Please mark well location with an "X"

Well Completion Date 4-24-89

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
<u>200</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>110</u> FT	<u>17 1/2</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 ☐ NOTo what depth? 60' - Surface FEETWhat is grouting material? Portland CementIf cement, number of sacks? 14 3/4 BagsDescribe grouting procedure TRACING PIPE

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 5 IN Length 30 FEETMaterial PVCSlot Size 18 Set From 20 Feet To 110 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☒ YES ☐ NOIf so, what material? DynamiteDescribe packer(s) and location? 30' to 60'Was well disinfected upon completion? ☐ YES ☒ NO

Explain _____

Bacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name McCASILL CreekAddress Country Club Rd. DeWitt, MichWell Log: 43.54 Thompson DE DepthFormation Adrian clay S. Dak.

	From	To
<u>Yellow Sand</u>	<u>0</u>	<u>10</u>
<u>Fire Black Sand</u>	<u>10</u>	<u>35</u>
<u>Sand Shanks</u>	<u>35</u>	<u>40</u>
<u>Blue Clay</u>	<u>40</u>	<u>75</u>
<u>Gravel Shanks</u>	<u>75</u>	<u>80</u>
<u>Fire Sand</u>	<u>80</u>	<u>100</u>
<u>Fire Sand</u>	<u>100</u>	<u>110</u>

STATIC WATER LEVEL 13' 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☐ OtherDescribe: Compressed Air

Pumping Level Below Land Surface

26 ft. After 4 Hrs. pumped 30 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 94

And this report is true and accurate

Drilling firm Charm Drilling

Signature of License Representative: _____

Signature of Well Owner: _____

Date 4/24/89

HURON DRILLING INC. DRILLERS LOG

PAGE NO.

Moccasin Creek Country Club
JOB NAME

Aberdeen, SD
LOCATION

April 19, 1989
DATE:

27
RJG NO.

Tom Rathjen
FOREMAN

[illegible]

REPORT ON APPLICATION NO. 5349-3
Mocassin Creek Country Club
October 2, 1989

This application proposes to add five (5) wells in the Elm Aquifer, 30 feet deep, to the thirteen (13) wells authorized by Water Right No. 1667-3. The wells are to be located in the W1/2, N/E1/4; SE1/4, NE1/4; NW1/4, SE1/4; sec. 33, T124N, R63W, Brown County, SD. Water is used to irrigate 75 acres of a golf course located in E1/2, sec. 33, T124N, R63W. This application, if approved, does not authorize any increase in the 0.89 cubic feet of water per second authorized by Water Right No. 1667-3.

DISCUSSION

The water from the five (5) wells to be added to Permit No. 5349-3 will be pumped into a pond located in the SE1/4, NE1/4, sec. 33, T124N, R63W, and then will be pumped for irrigation purposes from that point. This application does not add any additional appropriation of water and does not add any additional irrigated acres. The total number of wells that will be available at this facility for irrigation is eighteen (18), but the combined pumping rate from the wells and pond will not exceed 1 cfs per 70 acres of irrigated land. Irrigation will be from May 1 through October 31 of each year.

AQUIFER Elm Aquifer - Northern Brown

AQUIFER CHARACTERISTICS AND INFORMATION

Brown County has three major aquifers in outwash or alluvium: 1) Deep James, 2) Middle James, and 3) the Elm. The Elm Aquifer is the source of water for this application (No. 5349-3) and provides water for Water Right No. 1667-3. The Elm Aquifer covers approximately 249,600 acres in Brown County and has 936,000 acre-feet of recoverable water. According to the 1988 Irrigation Report, the total amount of water that is appropriated for irrigation is 10,576.29 acre-feet with an actual amount pumped in 1988 at 3,215.70 acre-feet. Well depths range from 15 to 100 feet with water levels from 4 to 50 feet below ground surface. In the permit area, the thickness of the Elm is about 65 feet with a depth to groundwater of 10 feet according to the application.

Recharge of the Elm is by percolation of precipitation, snowmelt, and surface water through the overlying outwash, lake sediments, and till. Water level fluctuations are generally caused by seasonal changes. The Division of Water Rights has observation wells in this area and according to the hydrographs attached do not seem to show any reduction in groundwater levels due to water appropriations.

Natural discharge is into the Elm River, Crow Creek, recharge to Middle James Aquifer, and by eastward flow into lacustrine deposits underlying the Lake Dakota Plain.

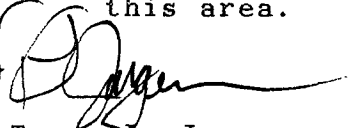
REVIEW OF AREA WATER RIGHTS

<u>WATER RIGHT</u>	<u>OWNER</u>	<u>DIVERSION RATE</u>	<u>ACREAGE</u>
122-3	H. M. Pickus	3.5 cfs	280 acres
1667-3	applicant	0.89 cfs	75 acres
2074-3	Carl Larson	3.30 cfs	commercial
2563-3	Gary Sharpe	1.07 cfs	110 acres
2604-3	Paul Dennert	1.9 cfs	135 acres
3876-3	A. N. Sanderson	1.14 cfs	80 acres

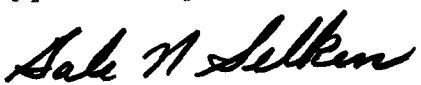
There are also numerous domestic wells in this area that draw water from the Elm Aquifer but thus far, water levels have not decreased as a result of appropriated water and approval of No. 5349-3 should not affect adequate wells.

CONCLUSIONS

1. The Elm Aquifer has an adequate supply of water for further appropriations.
2. The hydrographs for two wells in this area (BN82F & BN77V) show seasonal changes but no decrease in level as a result of appropriations.
3. Approval of Permit No. 5349-3 would not increase the amount of appropriated water under Water Right No. 1667-3 nor would it increase the amount of irrigated acres.
4. The combined diversion rate for the eighteen wells (including the additional five for Permit No. 5349-3) and from the pond shall not exceed 0.89 cfs authorized by Water Right No. 1667-3.
5. It is recommended that Application No. 5349-3 be approved subject to the completion of the irrigation questionnaire each year.
6. It is further recommended that the withdrawals from this system shall not interfere with adequate domestic wells in this area.


Terry L. Jorgensen
Natural Resources Engineer
Division of Water Rights

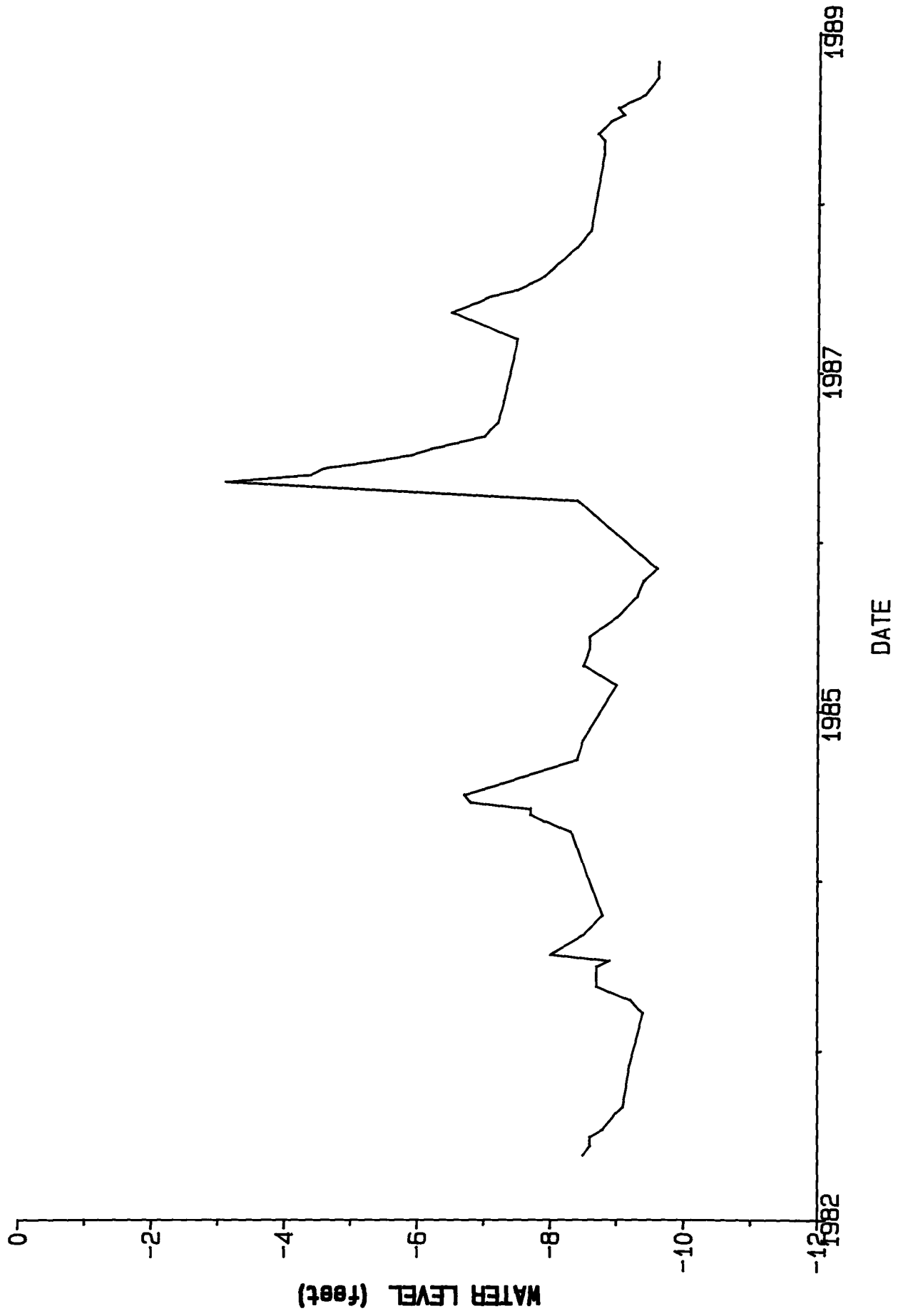
Approved by:


Gale N. Selken, P.E.
Natural Resources Engineer IV

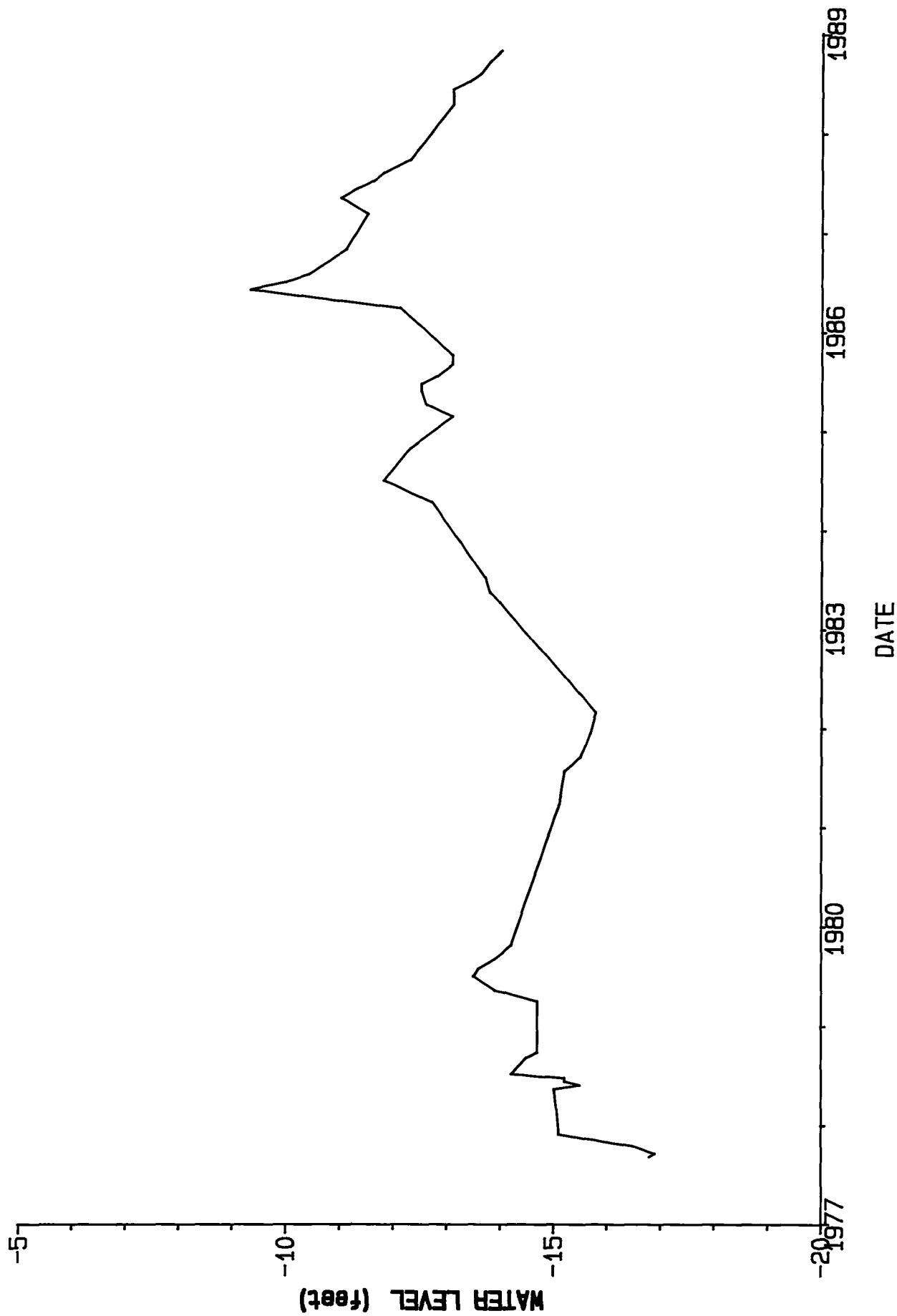
REFERENCES

- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., Schoon, R.A., 1982, Evaluation of Groundwater Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, U.S. Army Corps of Engineers Contract DACW 45-80-C-0185, DWNR, Division of Geological Survey, Vermillion, SD.
- Koch, N.C., Bradford, Wendell, 1976, Geology and Water Resources of Brown County, South Dakota, U.S. Department of the Interior-Geological Survey.

DIVISION OF WATER RIGHTS OBSERVATION WELL
BN-82F



DIVISION OF WATER RIGHTS OBSERVATION WELL
BN-77V



RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5349-3, Mocassin Creek 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. 5349-3, Mocassin Creek Country Club, PO Box 163, Aberdeen SD.

The Chief Engineer is recommending APPROVAL of Application No. 5349-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following 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. Approval of Permit No. 5349-3 grants a variance to Water Management Board Rule 74:02:04:28 with approximately 10 feet of grout required.
3. 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.
4. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
October 3, 1989

 **Department of
Water & Natural Resources**

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

October 30, 1989

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

Bruce Mitchell
Moccasin Creek Country Club
Box 163
Aberdeen, SD 57401

Dear Mr. Mitchell:

Water Permit Application No. 5349-3 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 Aberdeen American News printed at Aberdeen SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also 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





Department of Water & Natural Resources

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

October 30, 1989

Aberdeen American News
Box 4430
Aberdeen, SD 57401

ATTN: Legal Department

Enclosed is a Notice of Hearing on Application No. 5349-3 to be published twice. Please publish the first notice on or before November 3, 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 Moccasin Creek Country Club, Box 163, Aberdeen, SD 57401.

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 November 3, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5349-3 to Add Diversion Points

Notice is given that Moccasin Creek Country Club, P.O. Box 163, Aberdeen, SD 57401 has filed an application for a water permit to add five wells (Elm Aquifer - Northern Brown) 30 feet deep to the thirteen wells authorized by Water Right No. 1667-3. The wells are to be located in the W1/2 NE1/4, SE1/4 NE1/4, NW1/4 SE1/4 Section 33-T124N-R63W. Water is used to irrigate 75 acres of a golf course located in the E1/2 Section 33-T124N-R63W. This application, if approved, does not authorize any increase in the 0.89 cubic feet of water per second authorized by Water Right No. 1667-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5349-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD on December 6, 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 November 24, 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 November 24, 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 BROWN

ss.

Lori Noltner BEING DULY SWORN, ON HIS OATH SAYS:

That the ABERDEEN AMERICAN NEWS is a DAILY newspaper of general circulation, printed and published in Aberdeen, Brown County, South Dakota, by the Aberdeen News Company, a corporation, and has been such a newspaper during the times hereinafter mentioned, that affiant is an employee and principal clerk of said publisher and has personal knowledge of all the facts stated in this affidavit; that the advertisement headed Notice of hearing on application

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 thereof, once each week for 2 successive weeks

The first publication being made on the 3rd day of Nov 1989

The second publication being made on the 10th day of Nov 1989

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

That said newspaper is a legal newspaper, being published five days or more each week, having a bona fide circulation of more than two hundred copies daily, having been published in the English language within the said County of Brown for more than one year next prior to the first publication of said notice, and is printed in whole in an office maintained at the place of publication of said newspaper. That the whole amount of the fee paid for the publication of the annexed notice is \$ 53.90, which inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Lori Noltner

Subscribed and sworn to before me this 10th day of

Nov 19 89

Ella Jaasha

Notary Public, Brown County, S. D.

My commission expires 7-17-95

daily circulation 19930

(No. 375 - Nov. 3, 10 - 27)
NOTICE OF HEARING
on Application No. 5349-3
to Add Diversion Points

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Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5349-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD on December 6, 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 facts presented at the public hearing.

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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 November 24, 1989.

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Water & Natural Resources

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

MAR 21 1990

Bruce Mitchell
Moccasin Creek Country Club
Box 163
Aberdeen, SD 57401

Dear Mr. Mitchell:

Enclosed is Water Permit No. 5349-3 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 dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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

July 10, 1991

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

FROM:

MOCCASIN CREEK CC P.O. Box 163 ABERDEEN
name address city S.D. 57401

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. 5349-3.

Water Permit No. 5349-3 states that the diversion system is to be constructed by 12/7/94, and that the water it put to beneficial use by 12/7/98.

The diversion system was completed on

July 1, 1991.

Applying the water to beneficial use was completed on

July 1, 1991.

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

signature



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 28 1998

5473-3

Moccasin Creek Country Club
Ross Santjer, Superintendent
39084 130th St.
Aberdeen, SD 57401

Dear Mr. Santjer:

Enclosed is Water License No. 5473-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415658 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. 5473-3, 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. 1667-3 and Water Permit No. 5349-3 are incorporated into No. 5473-3.