

Considered: _____

WATER PERMIT NO. 5368-3

MAP No. same 853-2652
853-2473

Name of Applicant Miller Golf Club

Post Office Address Box 111, Miller SD 57362

Amount of Water Claimed 1.03 cfs Total Acres 72.58

Source of Water Supply dugout & holding pond

Water to be used for irrigation County Hand

About 3/4 miles N of Miller

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

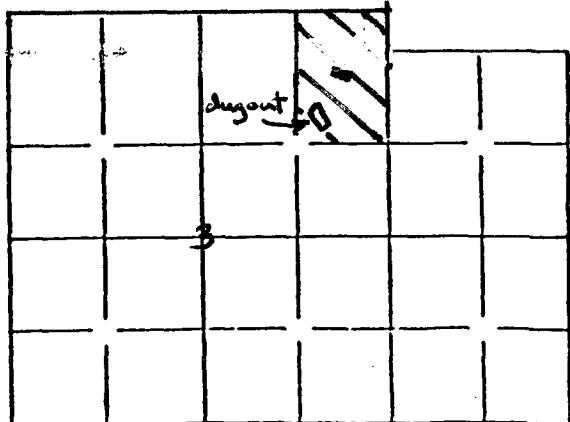
PRIORITY _____ Date Received August 25, 1989 Fee 225⁰⁰ Remarks _____

Corrected Application Received 10/3/89 Period of Annual Use May 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED 12/5/89 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point dugout & holding pond: Lot 1 NE 1/4
section 3-T112N-R68W



Land to be Irrigated Lot 1 NE 1/4 section 3 -
T112N-R68W

Well Log: Driller NA Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

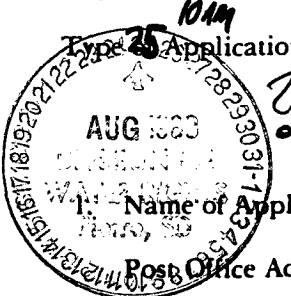
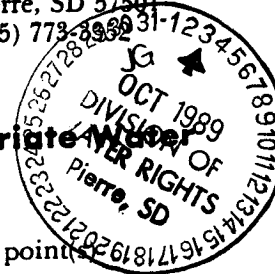
Type of Map aerial photo PREPARED BY Angie McCance Reviewed and the Number assigned on December 27, 1989 BY [Signature]

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

Mail to: Water Rights Div. 523 E. Capitol Pierre, SD 57501 (605) 773-8932

(See instructions)

No. 5368-3 Hydrologic Unit 10160009 Basin James River Newspaper Miller Press, Box 196, (Mon) 57362



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

- 1. Name of Applicant Miller Golf Club
2. Amount of water claimed (c.f.s) 1.03 Total acres irrigated Portions of 72.58 Acres
3. Source of Water supply Dugout in Stream with a holding pond 700' downstream
4. Location of point of diversion NE of NE 1/4 of Section 3 T112 R68 W Hand Co. S.D.
5. Counties where water will be used Hand
6. Annual period during which water is to be used May 1 - October 31
7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Table with 2 columns: Land Description, No. Acres Irr.
Row 1: N 1/2 NE 1/4 NE 1/4 Sec 3 T112R68 36.29
Row 2: S 1/2 NE 1/4 NE 1/4 Sec 3 T112R68 36.29
Row 3: (Lot 1 NE 1/4)

Table with 2 columns: Land Description, No. Acres Irr. (Empty rows)

Attach sheet if more space is needed

- 8. Type of Irrigation: Gravity: Towline: Center Pivot: Gun: (Specify)
9. Crops to be Irrigated: Grass - Fairways - Tee Boxes + Greens
10. Give a description of proposed project. (Attach sheet if more space is needed)

Enlargement of present holding pond and addition of Fairway Sprinkling System. 200 gpm - 8 hours per day. over

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 Hand ss

I, Wm J Elliott, 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 Wm J Elliott

Subscribed and sworn to before me this 24th day of August 19 89

JUDY JENNER Notary Public, State of South Dakota My Commission Expires Aug. 4, 1993

Judy Jenner Notary Public

We are not sure the amount of water we will be using, our estimates tell us we will use between 10-30 million gallons during a summer.

We are requesting a permit to accomplish two items

1) Enlarge our present main reservoir by removal of approximately 30,000 yards of dirt. This will enlarge our reservoir by approximately 160' X 250' with a depth of about 8'. This makes our total capacity about 15 Acre ft of water - (according to David Hines a local contractor for dirt removal.)

2) Expand our watering from Tees & Greens to include fairways

Should we need to provide further information please let me know.

SOUTH DAKOTA
WATER PERMIT No. 5368-3 FOR IRRIGATION

Date of first receipt of application August 25, 1989.
Date Soil/Water Compatibility Permit received December 5, 1989.
Date of return to applicant for corrections, amendments or changes September 13, 1989.
Date of receipt of corrected application October 11, 1989.

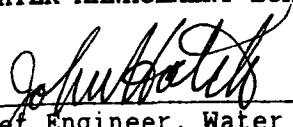
The Water Management Board approved Water Permit Application No. 5368-3 on March 7, 1990 for the Miller Golf Club, Box 111, Miller SD 57362 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5368-3 appropriates 1.03 cubic feet of water per second from a dugout and holding pond (total storage capacity approximately 15 acre-feet) located on Ree Creek to irrigate 72.58 acres of a golf course. The dugout, holding pond, and acreage to be irrigated are all located in Lot 1 NE1/4 section 3-T112N-R68W.
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 December 5, 1989.
4. One-fifth of the construction is to be completed on or before September 7, 1992.
5. All construction is to be completed on or before March 7, 1995.
6. Water is to be put to beneficial use on or before March 7, 1999.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
2. Approval of this Permit authorizes storage of up to 15 acre feet of water annually.

WATER MANAGEMENT BOARD

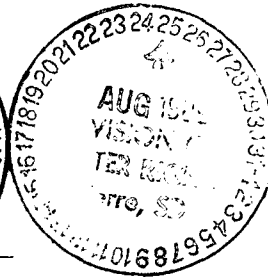
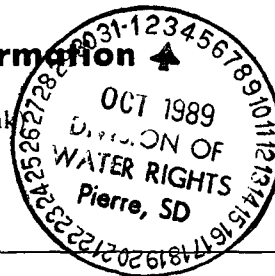
By: 
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

APR 25 1990

(date)

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

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

2. Dugout Information Estimates

- a) Surface Dimensions Approximately 200' x 600' Depth 8'
- b) Depth to water (ground surface to water level) 8-12 Feet.

3. Water Storage Dams

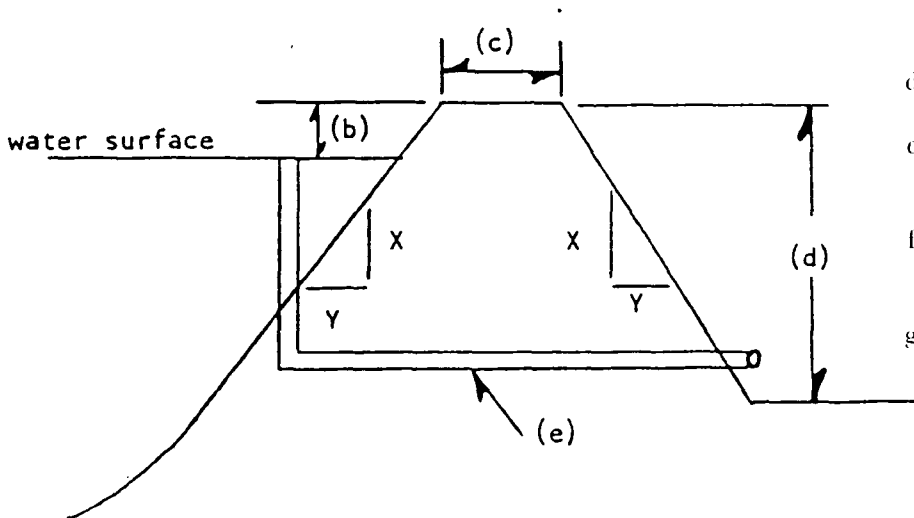
*The holdings are not in excess to normal flow levels
 No Dams as such exist only catching water as it passes
 by our reservoirs.*

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

Miller Golf Club -

- 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 _____

Wm Elliott, Pres
 Signature of Applicant
Miller Golf Club
Miller, SD 57362



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
September 13, 1989



Miller Golf Club
c/o William G. Elliot
Box
Miller, SD 57362

Dear Mr. Elliot:

This letter is in reference to the water permit application received from you August 25, 1989. The application is not complete for the following reason(s):

- (1) The address and phone number need to be indicated under question no. 1 on the enclosed application forms.
- (2) A map that clearly shows the location of dugout and the 72.58 irrigated acres must be submitted. This map must make reference to a government section corner or quarter corner and must be signed by either 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 duties (see enclosed instruction sheet).
- (3) The required application fee needs to be submitted. The fee for irrigating 72.58 acres is \$225 (see enclosed instruction sheet).
- (4) The amount of water claimed, question no. 2 on the enclosed application forms, needs to be completed. We have no existing water permits/rights on file for the Miller Golf Club. For this reason, the capacity of the dugout(s) should be indicated as well as the pumping rate from the pond.

*200 Gallons
per minute*

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

Feel free to contact us if you have any questions.

Sincerely,

Susan A. Bowar


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

enclosures



M E M O R A N D U M

TO: Ron Duvall
Division of Water Rights

FROM: Tim Tollefsrud 
Surface Water Quality Program

DATE: January 22, 1990

SUBJECT: Water Permit Application No. 5368-2

In the past, the City of Miller has requested to irrigate their golf course using wastewater from their wastewater treatment facility. These requests have been denied by this Office unless the City chlorinated the wastewater prior to irrigating and provided other protection measures to assure there would be no adverse affects to public health. Upon reviewing the "fact sheet" for Application No. 5368-2, this Office noticed the source of water supply was a holding pond and this Office became concerned the City was proposing to irrigate with the wastewater from their holding ponds. The map submitted by the City does show that the source is a holding cell, constructed on Ree Creek, located upstream of the discharge point for the City's wastewater facility.

The purpose of this memorandum is mainly to concur with the water source for this application. This Office would like to emphasize our concern and recommendation that no wastewater from the City of Miller's wastewater treatment facility enter either of these holding cells to be used for irrigation of the golf course without any type of disinfection process.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411935

Pierre, October 12, 1989

RECEIVED OF Miller Country Club, Box 111, Miller, SD 57362-0111

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

Fee for Application for Permit No. <u>5868-3</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 Hatch
Chief Engineer

(ma)

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only
4425
WR#
89-0521

OWNERS NAME: Miller Country Club OWNERS ADDRESS: Box 111
Miller, SD 57362

COUNTY LAND LOCATED IN: Hand PHONE: 605-853-2652

LEGAL DESCRIPTION: Well Surface
1. LOCATION NE $\frac{1}{4}$ NE $\frac{1}{4}$ Lot 1, Sec. 3-T112N-R68W
Depth _____

Legal Description	Acres	Legal Description	Acres
<u>NE$\frac{1}{4}$ NE$\frac{1}{4}$ NE$\frac{1}{4}$ 3-T112N-R68W</u>	<u>36.29</u>		
<u>SE$\frac{1}{4}$ NE$\frac{1}{4}$ NE$\frac{1}{4}$ 3-T112N-R68W</u>	<u>36.29</u>		



2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: Sprinkler (Specify)
3. CROPS TO BE IRRIGATED: Grass - fairways - tee boxes - greens

WATER QUALITY:

4. WATER SAMPLE NUMBER: <u>89-0521</u>	7. ADJUSTED (SAR): <u>4.66</u>
5. SALINITY (EC X 10 ⁶): <u>800</u>	8. PERCENT SODIUM: <u>44.33</u>
6. SODIUM (SAR): <u>2.52</u>	

Requirements:
That a buffer strip adjacent to Rae Creek not be irrigated to prevent increased bank erosion and water contamination.
The maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 inches of the soil profile) at the beginning of the growing season apply. They become applicable upon the issuing of a soil-water compatibility permit by the division or the commission.

[Signature]
Director, Division of Conservation
12/1/89
Date

APPROVED REQUIREMENTS
 DISAPPROVED
 WAIVER

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

We are not sure the amount of water we will be using, our estimates tell us we will use between 10-30 Million gallons during a summer.

We are requesting a permit to accomplish two items

1) Enlarge our present main reservoir by removal of approximately 30,000 yards of dirt. This will enlarge our reservoir by approximately 160' x 250' with a depth of about 8'. This makes our total capacity about 15 Acre ft of water - (according to David Hines a local contractor for dirt removal.)

2) Expand our watering from Tees + Greens to include fairways

Should we need to provide further information please let me know.

23-313
T 1230



1.9

36.7

1.8

①
199.4
-1.8
-.6
-1.0
1940
92.5

3

112.68
L-9

②
92



T 2231

Irrigated Area
outlined in Blue

Holding
Pond

Primary
Storage

Angie McCance
Soil Conso Tech
T 834 9/22/89
Soil Conso Service
Miller, S.D.

①
51.7

②
32.3

T 2219

T 2293

Appl. No. 5368-3

T 2293

MILLER COUNTRY CLUB

March 1990

WATER STORAGE TOTALS

POND ELEV.	GALLONS/2 FT. OF ELEVATION	ACCUMULATED GALLON TOTAL
70	40	40
72	29,888	29,928
74	141,776	171,704
76	244,170	415,874
78	336,667	752,541
80	421,692	1,174,233
82	496,014	1,670,247
84	572,961	2,243,208
86	652,937	2,896,145
88	737,154	3,633,299
90	828,238	4,461,537
92	950,625	5,412,162
94	1,101,289	6,513,451
96	1,251,142	7,764,593
98	1,418,567	9,183,160
100	1,616,084	10,799,244

REPORT FOR APPLICATION NO. 5368-3
MILLER GOLF CLUB
JANUARY 10, 1990

BACKGROUND

Water permit application No. 5368-3 proposes to appropriate 1.03 cubic feet of water per second from a dugout and holding pond located on Ree Creek. Total storage capacity of the dugout and pond is approximately 15 acre-feet. The water will be used to irrigate a 72.58 acre golf course. The dugout, holding pond and acreage to be irrigated are all located in Lot 1, Section 3, T112N - R68W.

DISCUSSION

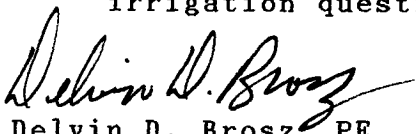
Ree Creek is a tributary of Turtle Creek which drains into the James River. Flows in Ree Creek are maintained by precipitation and runoff. The quantity of flow in Ree Creek is probably quite variable. The duration of streamflow in this area is very short. Most streamflows and most floods occur in the spring and early summer from snowmelt and precipitation. There is no gaging station on Ree Creek. The area of drainage at the proposed point of diversion is approximately 40 square miles.

There is the possibility that the dugout is located in the alluvium along Ree Creek. This alluvium does contain water which may be available to the dugout. The alluvium has a low permeability and does not yield water readily. There are no well logs on file with the Division of Water Rights for wells in the alluvium near this application along Ree Creek.

There are no other surface water permits on Ree Creek or on Turtle Creek in Hand County below the confluence with Ree Creek.

CONCLUSIONS

1. There are no existing water rights in this area utilizing surface water or water from the alluvium which could be adversely affected by approval of this permit.
2. If application No. 5368-3 is approved it should contain the irrigation questionnaire qualification.



Delvin D. Brosz, PE
Natural Resources Engineer IV

REFERENCES

- Christensen, Cleo M, June 1962, "Water Supply for the City of Miller", South Dakota Geological Survey, Vermillion, South Dakota.
- Koch, Neil C, 1980, "Geology and Water Resources of Hand and Hyde Counties, South Dakota, Part II: Water Resources", US Department of the Interior, US Geological Survey.


RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5368-3, Miller Golf 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. 5368-3, Miller Golf Club, Box 111, Miller SD.

The Chief Engineer is recommending APPROVAL of Application No. 5368-3 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. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
2. Approval of this Permit authorizes storage of up to 15 acre feet of water annually.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
January 11, 1990

SOUTH Dakota Department of
Water & Natural Resources

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

January 12, 1990

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

William Elliot
Miller Golf Club
Box 111
Miller, SD 57362

Dear Mr. Elliot:

Water Permit Application No. 5368-3 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 Miller Press printed at Miller 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 Hearing 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

January 12, 1990

Miller Press
Box 196
Miller, SD 57362

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 5368-3 to be published twice. Please publish the first notice on or before January 22, 1990 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 Miller Golf Club, c/o William Elliot, Box 111, Miller, SD 57362.

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 January 22, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5368-3 to Appropriate Water

Notice is given that the Miller Golf Club, Box 111, Miller, SD 57362 has filed an application for a water permit to appropriate 1.03 cubic feet of water per second from a dugout and holding pond (total storage capacity approximately 15 acre-feet) located on Ree Creek to irrigate 72.58 acres of a golf course. The dugout, holding pond and acreage to be irrigated are all located in Lot 1 NE1/4 Section 3-T112N-R68W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5368-3 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 the Roosevelt - Jefferson Room, Howard Johnson, 2211 LaCrosse, Rapid City, SD on March 7, 1990 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.

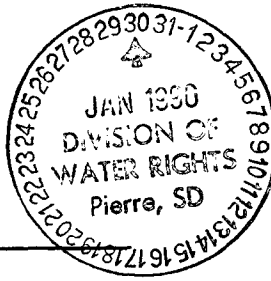
Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by February 23, 1990. The Chief Engineer's address is "Water Rights Division, 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 February 23, 1990.

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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hand) ss.



I, Gary L. McFarlane
certify that the attached printed Notice was taken
from the Miller Press

A newspaper which during the whole time of publication of
said notice herein after stated, has been and is printed and
published in the Miller Press
of Miller, SD

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

January 22, 1990
January 29, 1990

Gary L. McFarlane
(Signature)

Pub
(Title)

1/29/90
(Date Signed)

Cost of Printing: \$ 33.23
78 lines x .2367 1st insert
Subsequent insertion 80% of line rate

NOTICE OF HEARING
on Application No. 5368-3 to
Appropriate Water

Notice is given that the Miller Golf
Club, Box 111, Miller, SD 57362, has
filed an application for a water permit to
appropriate 1.03 cubic feet of water per
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acre-feet) located on Ree Creek to irri-
gate 72.58 acres of a golf course. The
dugout, holding pond and acreage to be
irrigated are all located in Lot 1 NE1/4
Section 3-T112N-R68W.

Pursuant to SDCL 46-2A-2, the Chief
Engineer of the Water Rights Division
recommends APPROVAL of Applica-
tion No. 5368-3 because 1) unappropri-
ated 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 the Roosevelt-Jefferson Room,
Howard Johnson, 2211 LaCrosse, Rapid
City, SD on March 7, 1990 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 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 February 23, 1990. The Chief
Engineer's address is "Water Rights Div-
ision, Foss Building, 523 E. Capitol,
Pierre, SD 57501 (605 773-3352)". The
petition may be informal, but must in-
clude a statement describing the
petitioner's interest in the application,
the petitioner's reasons for opposing or
supporting the application and the signa-
ture and mailing address of the petitioner
or legal counsel if legal counsel is ob-
tained. The applicant need not file a pe-
tition. 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 proceed-
ing. Any person filing a petition and/or
the applicant have the right to be repre-
sented by a lawyer. These and other due
process rights will be forfeited if not ex-
ercised. 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 automat-
ically delayed for at least twenty days
upon written request to the Chief Engi-
neer from the applicant or a petitioner.
The request for a delay must be received
by February 23, 1990.

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.
FPNO 21 LPNO 22



Department of Water & Natural Resources

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

APR 25 1990

Wm. G Elliott
Miller Golf Club
Box 111
Miller SD 57362

Dear Mr. Elliott:

Enclosed is Water Permit No. 5368-3 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". 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 5/1/90

TO:

Water Rights Division, DWRN
Joe Foss Building
Pierre SD 57501-3181

FROM: Miller Golf Club, Box 111, Miller, SD
name address city

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. 5368-3.

Water Permit No. 5368-3 states that the diversion system is to be constructed by March 7, 1995, and that the water it put to beneficial use by March 7, 1995.

The diversion system was completed on April 24, 1990.
Applying the water to beneficial use was completed on April 24, 1990

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

William A. Elliott

signature



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 15, 1992

5368-3

Miller Golf Course
Box 111
Miller, SD 57362

Dear Sirs:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 5368-3, has been completed. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Cheryl F. Frost".

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

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

RECEIPT

413322

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, July 21, 1992RECEIVED OF Miller Country Club, Box 111, Miller, SD 57362

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5368-3</u>	50	00
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
Chief Engineer

Permit No. 5368-3

James River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Miller Golf Course of Box 111, Miller SD 57362 holder of Permit No. 5368-3, bearing the priority of December 5, 1989 authorizing the diversion of 1.03 cu. ft. per second and/or the storage of 15 acre-feet of the waters of Ree Creek for irrigation purposes, in Hand County.

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

A. Works used to divert the water:

A 160' x 250' dugout and a 65' x 130' holding pond. A wet well consisting of 72' of 12" cmp outlet tube and 31' of 36" cmp wet well. The pump capacity is 200 gpm, Jacuzzi motor, model no. 10DC1-1/2-T, 20 hp.

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

200" of 6" pvc, 940' of 4" pvc, 7300' of 3" pvc, and 1400" of 2" pvc

C. Works used to apply water to beneficial use:

pump and pop-up sprinklers

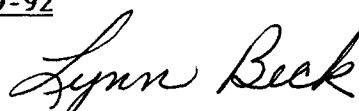
The system is in the following condition good. The point of diversion is located 1880' S and 925' W NE corner (primary dugout) and 1320' S and 660' W (holding pond) of the NE corner Sec. 3, T112N, R68W. The works are capable of diverting and conveying to the place of use 0.44 cu. ft. per second of water and/or storing 15 acre-feet of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

NE1/4 NE1/4 Sec. 3, T112N, R68W 60

comprising a total of 60 acres of land and the license should be issued for 0.44 cfs and/or 15 acre-feet of storage.

Application permit qualifications have been complied with Yes No

Exceptions to compliance are: none Date 4-29-92



Lynn Beck
Natural Resources Engineer III

REPORT ON INSPECTION OF PERMIT NUMBER 5386-3

DATE 4-29-92

Other permit(s) associated with the project none

DIVERSION POINT LEGAL LOCATION: Dugout and holding pond located in the NE1/4 Section 3, T112N, R68W.

NE1/4

WELL INFORMATION: Wet well, see outlet tubes under dugout information.

No. of Wells 1 Depth(s) 31

a) Casing: 1) diameter 36 inches

2) length 31 feet

3) type cmp

d) Static Water Level 12 feet

e) Motor:

1) make Jacuzzi

2) model No. 10DC1-1/2-T

3) horsepower rating 20 hp

b) Screen: 1) type

2) length feet

c) Pump 1) make

2) model

3) size inches

4) capacity 200 GPM

5) turbine pump - No. of stages

6) operating pressure 110 PSI

DISTRIBUTION LINES OR CANALS:

a) type PVC

b) size 6, 4, 3, 2 inches c) length 200, 940, 7300, 1400 feet

SYSTEM TYPE: Pump and pop-up sprinklers.

DUGOUT INFORMATION: dugout 160' x 250', holding pond 65" x 130'

a) height to crest feet

k) outlet tubes:

b) height to primary spillway feet

1) diameter 12 inches

c) height to secondary spillway feet

2) type CMP

d) crest width feet

3) valved Y (Y/N)

e) crest length feet

4) valve type 6" foot valve

f) spillway length feet

5) location on structure

g) spillway width feet

h) approximate storage 15 ac-ft

i) approximate storage to crest ac-ft

j) date constructed

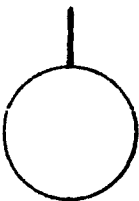
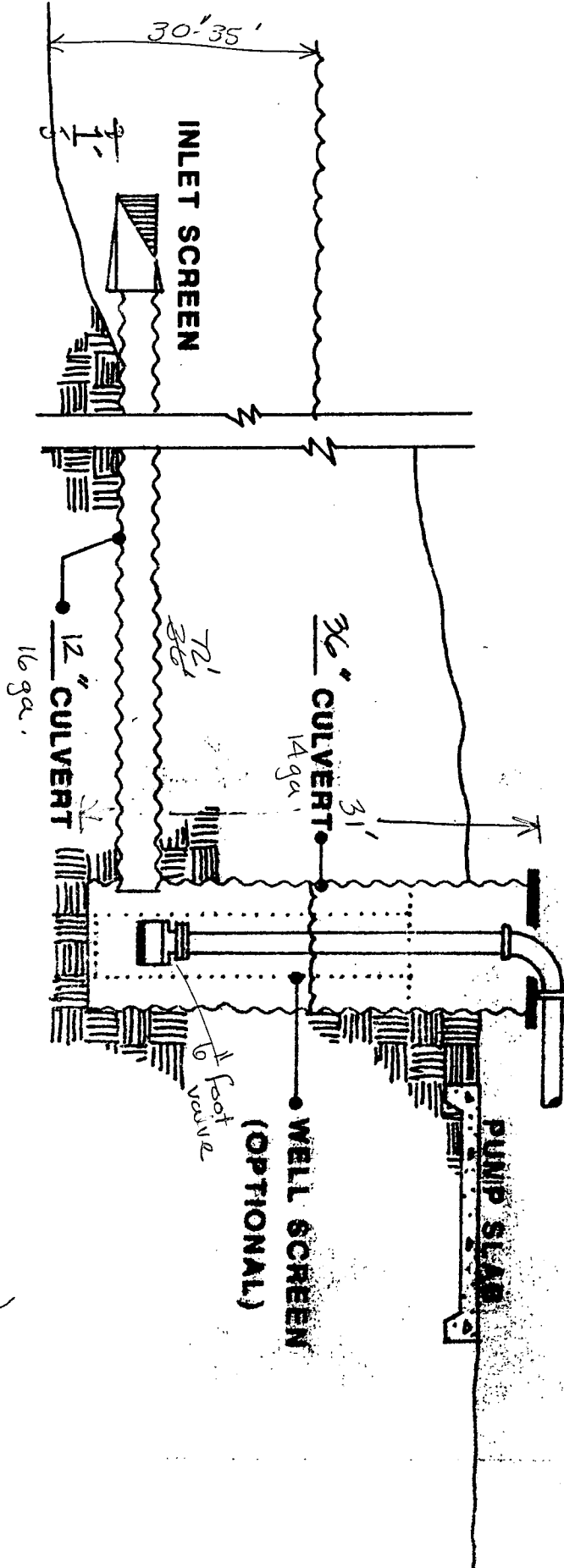
l) category of dam (I,II,III)

m) inspection sheet completed (Y/N)

n) name of contractor:

PERMIT QUALIFICATIONS AND REGULATIONS:

- a) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y (Y/N)
- b) Special qualifications to permit being abided by Y (Y/N)
- c) All structures, wells and lands on map Y (Y/N)
- d) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y (Y/N)



WET WELL DETAIL (BY OTHERS)
NO SCALE

23-313
T 1230

1.9

T 2231

NE⁴ NE⁴ 60 acres

1320'

1880'

660'

Holding Pond

925'

Primary Storage Dugout

Total Acres = 60

← Ree Creek

T 834

36.7

1.8

①
197.4
-1.8
-.6
-1.0
194.0
92.5

3

①
51.7

②
192

112.68
L-9

②
32.3

T 2219

T 2293

T 2293

5368-3

Prepared by:

Lynn Beck

Lynn Beck
Natural Resource Engineer
DENR, Division of Water Rights

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5368-3

(1) Miller Golf Club of Box 111, Miller, SD 57362 made Application No. 5368-3, August 25, 1989 for a water permit to appropriate 1.03 cubic feet of water per second and storage of 15 acre feet of water annually in a dugout and holding pond on Ree Creek, Hand County, South Dakota for irrigation purposes. Permit No. 5368-3 with a priority date of December 5, 1989 was approved March 7, 1990 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before March 7, 1995 and for the application to beneficial use of said water on or before March 7, 1999.


The permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use" on May 2, 1990. The "Notice" stated the diversion system was completed and the water applied to beneficial use on April 24, 1990.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.44 cubic feet of water per second and store 15 acre feet of water annually for beneficial use. The location of the diversion points are: 1880'S and 925'W of the NE corner (primary dugout - 15 acre feet capacity) and 1320'S and 660'W of the NE corner (holding pond), both in Section 3, T112N, R68W.

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

T112N, R68W Section 3 NE 1/4 NE 1/4 60 Acres

(4) Pursuant to Section 46-5-30.1 the Miller Golf Course of Box 111, Miller, SD 57362 the holder(s) and/or owner(s) of Water Permit No. 5368-3 is issued a license to appropriate water, the right to use 0.44 cubic feet of water per second and store 15 acre feet of water annually in a dugout and holding pond on Ree Creek with a priority date of December 5, 1989 from the location specified in (2) of this license. The water is 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 Water Permit No. 5368-3 and subject to South Dakota State Law.


AUG 5 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 5 1992

5368-3

Miller Golf Club
Box 111
Miller, SD 57362

Dear Sirs:

Enclosed is Water License No. 5368-3. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 413322 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch", written over a horizontal line.

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 18, 2008

NOTICE

TO: MILLER GOLF CLUB, PO BOX 111, MILLER, SD 57362 0111
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5368-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5368-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2008** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5368-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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

5368-3



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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 3288
Status: **Delivered**

Your item was delivered at 8:02 AM on January 23, 2008 in MILLER, SD 57362. The item was signed for by J BEVERS.

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No FEAR Act EEO Data

FOIA



United States Postal Service



Internet Mail

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 3288

MILLER GOLF CLUB
PO BOX 111
MILLER SD 57362 0111

Waiver of Signature YES NO

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 24, 2008

5368-3

Miller Golf Course
Box 111
Miller SD 57362

Dear Sir:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 5368-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



5368-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 23, 2020

NOTICE

TO: MILLER GOLF CLUB, PO BOX 111, MILLER, SD 57362 0111

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5368-3. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5368-3 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5368-3 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 before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: TZPZJO**

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

5368-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 2020

No. 5368-3

MILLER GOLF CLUB
PO BOX 111
MILLER SD 57362

Dear Sir:

I am writing to acknowledge receipt of your 2019 irrigation questionnaire.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Permit No. 5368-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us