

Considered: _____

WATER PERMIT NO. 5438-3

Phone: 232-4211, (712) 256-4202

Name of Applicant Dakota Dunes Community Improvement District

Post Office Address RR#1, Box 93B, Dakota Dunes, SD 57049

Amount of Water Claimed 4.5 Total Acres 180

Source of Water Supply groundwater (one existing well, one new well)

Water to be used for irrigation County Union

About 1 miles SW of North Sioux City

PROOF OF PUBLICATION: Received Not Received _____

APPLICATION: Approved Subject to _____

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

PRIORITY _____ Date Received 4/16/90 Fee \$250 Remarks Amending Permit

No. 2079-3, changing acreage, adding diversion points

Corrected Application Received _____ Period of Annual Use _____

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

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

Diversion Point existing well - SE1/4 SE1/4

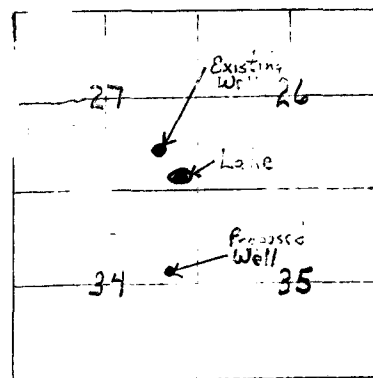
Section 27-T89N-R48W, New well - SE1/4 NE1/4 Sec.

34 T89N-R48W

Land to be Irrigated SW1/4 Sec. 27, SE1/4 Sec. 27

SW1/4 Sec. 26, N1/2 Sec. 34, NW1/4 Sec. 35; all in

T89N-R48W



Well Log: Driller Fentschler Licensed YES _____ NO _____

Depth of Well 152 feet REMARKS _____

Type of Map Tract _____ PREPARED BY Greg Meyer Reviewed and the Number

Assigned on 5/4/90 By Eric Ironlund

(See instructions)

No. 5438-3 Hydrologic Unit 10170101
Basin Missouri
Newspaper Elk Point Courier Box 310 57025

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

Type of Application: ☒ New ☐ Vested Right ☒ Amend Permit No. 2079-3
☒ Change Acreage ☐ Change diversion point(s) ☒ Add diversion point(s)
☐ Add Acreage ☒ Increase diversion rate ☐ Other _____



- Name of Applicant Dakota Dunes Golf Course Phone No. 605-232-1501
Post Office Address RR 1, Box 93B Dakota Dunes State SD 57049
(Street, RR or Box) (City) Zip Code
3.73 from dugout
- Amount of water claimed (c.f.s.) 4.5 from well Total acres irrigated 173
- Source of Water supply Alluvium 1 proposed well, 1 existing well as backup
- Location of point of diversion Proposed well: Government Lot 1 (SE $\frac{1}{4}$ NE $\frac{1}{4}$) section 34;
Existing well: SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 27; both in T89N-R48W
County Union
- Counties where water will be used Union
- Annual period during which water is to be used April 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.
NW $\frac{1}{4}$ SW $\frac{1}{4}$ sec 27-T89N-R48W	5.25
NE $\frac{1}{4}$ SW $\frac{1}{4}$ "	4.83
SW $\frac{1}{4}$ SW $\frac{1}{4}$ "	8.08
SE $\frac{1}{4}$ SW $\frac{1}{4}$ "	7.23

Land Description	No. Acres Irr.
NW $\frac{1}{4}$ SE $\frac{1}{4}$ sec 27-T89N-R48W	3.23
NE $\frac{1}{4}$ SE $\frac{1}{4}$ "	7.94
SW $\frac{1}{4}$ SE $\frac{1}{4}$ "	9.31
SE $\frac{1}{4}$ SE $\frac{1}{4}$ "	3.48

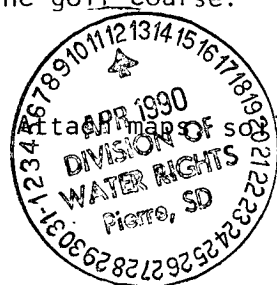
Attach sheet if more space is needed

Continued - See Attachment 1

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

The existing well identified on Permit No. 2079-3 is capable of diverting 2.00 cfs and is to be used as a backup well. The proposed well is to divert water at a rate of 4.5 cfs to a lake (dugout) with a storage capacity of approximately 41.4 acre-feet. Water will then be diverted from the lake at 3.73 cfs for irrigation of the golf course. The lake will be lined with a liner to minimize percolation.

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



STATE OF SOUTH DAKOTA)
County of Union)^{ss}

Dakota Dunes Golf Course
I, and Allen J. Block, 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 Dakota Dunes Golf Course
Allen J. Block Mar.

Subscribed and sworn to before me this 3rd day of May 19 90

Rebecca L. West
Notary Public

Attachment 1

Land Description	No. of Acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ sec 26-T89N-R48W	1.32
SW $\frac{1}{4}$ SW $\frac{1}{4}$ " "	12.24
SE $\frac{1}{4}$ SW $\frac{1}{4}$ " "	9.47
NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec 34-T89N-R48W	5.46
NE $\frac{1}{4}$ NW $\frac{1}{4}$ " "	13.30
SE $\frac{1}{4}$ NW $\frac{1}{4}$ " "	5.85
NW $\frac{1}{4}$ NE $\frac{1}{4}$ " "	12.92
NE $\frac{1}{4}$ NE $\frac{1}{4}$ " "	11.78
SW $\frac{1}{4}$ NE $\frac{1}{4}$ " "	11.01
SE $\frac{1}{4}$ NE $\frac{1}{4}$ " "	9.41
Gov't Lot 4 sec 35-T89N-R48W	20.04
Gov't Lot 3 " "	<u>10.77</u>
Total Acreage	172.92

SOUTH DAKOTA
WATER PERMIT No. 5438-3 FOR IRRIGATION

Date of first receipt of application April 12, 1990.
Date Soil/Water Compatibility Permit received May 14, 1990.
Date of return to applicant for corrections, amendments or changes April 23, 1990.
Date of receipt of corrected application May 4, 1990.

The Water Management Board approved Water Permit Application No. 5438-3 on May 23, 1990 for Dakota Dunes Golf Course, RR #1, Box 93B, Dakota Dunes, SD 57049 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. 5438-3 changes the location of irrigated acreage, adds a diversion point and increases the diversion rate. Water Permit No. 2079-3 appropriated 2.64 cubic feet of water per second (cfs) from one well, 101 feet deep, located in the center of the SE1/4 Section 27 to irrigate 185 acres in the SE1/4 Section 27, NW1/4 SW1/4 Section 26; all in T89N-R48W. This Permit amends Permit No. 2079-3 to change the location of a portion of the irrigated acreage described on No. 2079-3. The change in location of the irrigated acreage is for development of a 173 acre golf course in the following areas: S1/2 Section 27; S1/2 SW1/4, NW1/4 SW1/4 Section 26; N1/2 Section 34; NW1/4 (Government Lots 3 & 4) Section 35; all in T89N-R48W. This Permit also adds a well, 152 feet deep, to be located in Government Lot 1 (SE1/4 NE1/4) Section 34 T89N-R48W and increases the diversion rate to 4.50 cfs from the proposed well. The existing well authorized by Permit No. 2079-3 is capable of diverting 2.00 cfs and is to be maintained as a backup well. Water is to be diverted to a lake (dugout) from the proposed well and then be diverted to the 173 irrigated acres at a rate of 2.47 cfs. The lake (approximate storage capacity 41.4 acre feet) is to be located in the SE1/4 SE1/4 Section 27 T89N-R48W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The dates from which applicant may claim right are January 28, 1975 for 2.00 cfs
April 12, 1990 for 2.5 cfs
4. One-fifth of the construction is to be completed on or before November 23, 1992.
5. All construction is to be completed on or before May 23, 1995.
6. Water is to be put to beneficial use on or before May 23, 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. The well authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Approval of Permit No. 5438-3 authorizes construction of a lake with 41.4 acre feet of storage.
5. The pumping rate from the lake for irrigation is limited to 2.47 cfs (1110 gpm).

WATER MANAGEMENT BOARD

By: _____

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

SEP 12 1990

(date)

Supplemental Information

Irrigation Well

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 32 inches Depth 151 feet
- b) Casing Type Steel Diameter 20 inches Thickness 0.375 inch
- c) Screen Type Stainless Steel Diameter 20 inches Thickness 0.375 inch
- d) Gravel Pack Thickness 6 inches Length of Gravel Pack 56 feet
- e) Depth to Top of Water Bearing Material 60 feet
- f) Depth to Water (ground surface to water level) 20 feet
- g) Distance to nearest existing domestic well:
- On applicants property 4,200 feet On property owned by others 7,400 feet

2. Dugout Information Estimates

- a) Surface Dimensions Irregular (41.4 AC A) Depth 8-10 feet
- b) Depth to water (ground surface to water level) 10 feet

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

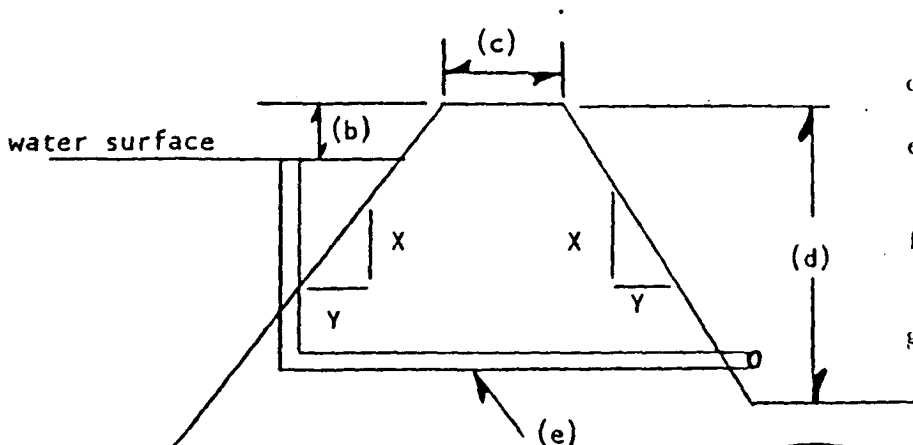
e) Primary Outlet Capacity _____
If Pipe, diameter _____f) Secondary Spillway Capacity _____
Spillway width _____g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____



existing

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 24" Depth 101
- b) Casing Type concrete asbestos Diameter 17³/₄ Thickness 3/4 inch
- c) Screen Type cement asbestos Diameter 17³/₄ O.D. Thickness 39'
- d) Gravel Pack Thickness 6" Length of Gravel Pack 60'
- e) Depth to Top of Water Bearing Material 26'
- f) Depth to Water (ground surface to water level) 11'
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

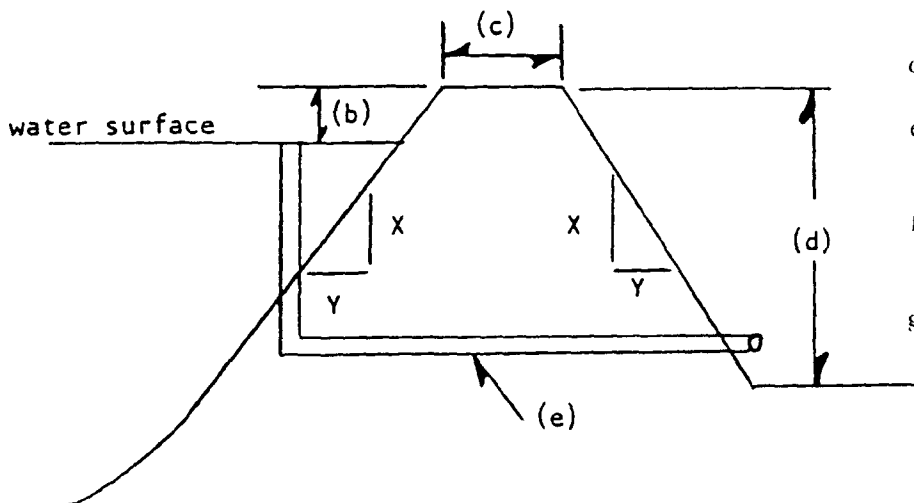
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

**Department of
Water & Natural Resources**

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

April 23, 1990

Greg Meyer
Buell, Winter, Mousel & Associates
666 Benson Building
Sioux City IA 51101

Dear Mr. Meyer:

This letter is in regard to the water permit applications submitted on behalf of the community improvement district and the golf course. The following information is needed to complete both applications:

- 1) Enclosed is a partially completed application for the golf course with an acreage description attached. The application has been completed based on the information supplied by you. Please review the applications and make any needed changes. The applications then need to be signed in the presence of a notary.
- 2) The application submitted for the community improvement district is adequate and can be signed as completed in the presence of notary.
- 3) The application fee for the golf course application is \$250.00 and the application fee for the improvement district is \$900.00.
- 4) A map needs to be submitted for each application and each map needs to be completed and signed by one of the following persons: 1) A South Dakota registered professional engineer, 2) A South Dakota licensed land surveyor or 3) A government employee that signs maps as part of his or her regular duties. The map for the district needs to show both well locations and the map for the golf course needs to outline the acreage to be irrigated, show the proposed well location, existing well location and the location of the lake (dugout). Other details that need to be completed are identified on the enclosed instruction sheet under item No. 2.
- 5) A soil/water compatibility permit is also needed from the Department of Agriculture for the golf course application. A copy of the enclosed application will be forwarded to the Department of Agriculture when the signed and notarized application is returned to Water Rights. A copy of the water analysis and a soils map completed as outlined under item No. 5 on the enclosed instruction sheet also needs to be submitted.

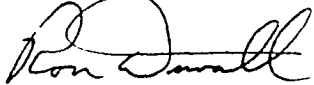
(continued)

April 23, 1990
Greg Meyer
Page 2

The water permit applications can not be considered by the Water Management Board until the applications are complete. The soil/water compatibility permit also needs to be approved prior to the golf course application being considered by the Board. The recommendations to the Water Managment Board are to defer both applications to allow additional time to review the applications. The deferral recommendations will not be revised until the requested information is received and a report is prepared for each application. Therefore, please complete the above items and return the information and fees as soon as possible to the Division of Water Rights.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ron Duvall", with a stylized, cursive script.

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4498

WR#

OWNERS NAME: DAKOTA DUNES GOLF COURSE OWNERS ADDRESS: RR1, Box 93B
Dakota Dunes, SD 57049

COUNTY LAND LOCATED IN: Union PHONE: 232-4211

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION Proposed well: Government Lot 1-Government Lot 1 (SE $\frac{1}{4}$ NE $\frac{1}{4}$ 34-T89N-R48W
Existing well: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 27-T89N-R48W
Depth _____

Legal Description	Acres	Legal Description	Acres
Portions of SW $\frac{1}{4}$ 26-T89N-R48W	23.03		
Portions of NW $\frac{1}{4}$ NE $\frac{1}{4}$ 34-T89N-R48W	69.73		
Portions of SW $\frac{1}{4}$ SE $\frac{1}{4}$ 27-T89N-R48W	49.35		
Portions of Govt. Lots 4 & 35-T89N-R48W	30.81		

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

3. CROPS TO BE IRRIGATED: Grass

WATER QUALITY:	
4. WATER SAMPLE NUMBER: <u>9043594</u>	7. ADJUSTED (SAR): <u>3.16</u>
5. SALINITY (EC X 10 ⁶): <u>960</u>	8. PERCENT SODIUM: <u>23.3</u>
6. SODIUM (SAR): _____	

Requirements:

The areas of Tract 2, Tract 3, Tract 4 and Tract 5, which are found in the area mapped as Fluvaquents, shall be protected from flooding and managed in a manner, which will address potential wetness problems.



Director, Division of Conservation

May 9, 1990
Date

XXX APPROVED
____ DISAPPROVED
____ WAIVER

XXX REQUIREMENTS

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412225

Pierre, May 5, 1990

RECEIVED OF Dakota Dunes, Development, Co, RR #1 Box 938, Dakota Dunes, SD 57049

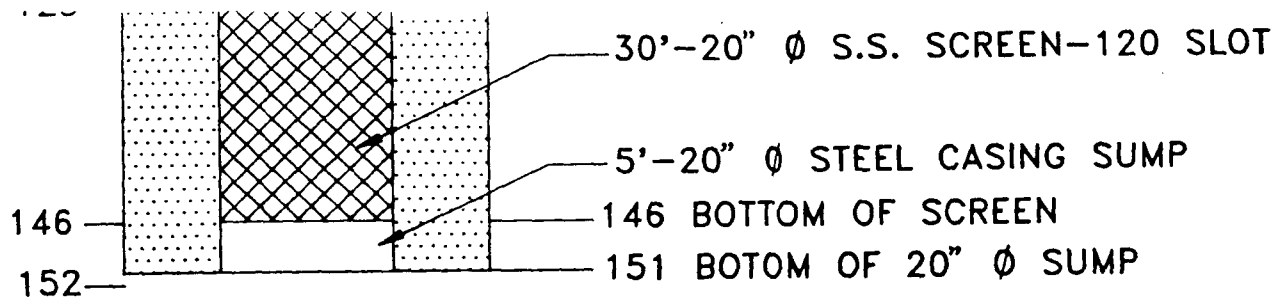
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>5438-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	250	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	250 00'

By

Chief Engineer

John Hatch



IRRIGATION WELL PROFILE (90-1)

SCALE: NTS

TEST WELL REPORT

City and State North Sioux City, South Dakota Date 1-4-90

Contract Dakota Dunes Driller Jim Rentschler

Test No. 90-1 Helpers Tabor Miller

Static Water Level Est. 20'

Test Log

0	-	4	Silty sand
4	-	15	Fine brown sand
15	-	20	Fine brown/blue sand
20	-	29	Medium blue sand
29	-	30	Sandy clay
30	-	37	Medium blue sand
37	-	45	Coarse sand, some gravel with clay
45	-	50	Blue clay with sand and gravel
50	-	55	Medium sand, some coarse, trace of clay
55	-	60	Coarse sand and gravel and lignite some boulders
60	-	92	Boulders coarse sand and gravel with lignite
92	-	95	Coarse and fine sand and gravel
95	-	105	Coarse and fine sand and gravel
105	-	105½	Limestone
105½	-	107	Coarse sand and gravel
107	-	125	Gravel and coarse sand
125	-	146	Gravel, coarse sand boulders
146	-	152	Blue clay with limestone and sand

DATE	REVISION	SHEET TITLE

SITE MAP AND
WELL PROFILE



Harris Laboratories Inc.
624 Peach Street, Box 80837, Lincoln, NE 68501

**WATER
ANALYSIS**

Submitted For

DON FUXA



SAMPLE MARKED
WEST WELL

LABORATORY NUMBER
7043594

Submitted By

DAKOTA DUNES DEV CO
RR 1 BOX 93B

DATE RECEIVED
1/17/90

DAKOTA DUNES

SD

57049

DATE REPORTED
1/22/90

ANALYSIS OF CHEMICAL PROPERTIES

YOUR RESULTS

RATING OF YOUR RESULTS

UNIT OF MEASURE	RESULT	LBS/ ACRE FOOT	SATISFACTORY	POSSIBLE PROBLEM	PROBABLE PROBLEM
-----------------	--------	----------------	--------------	------------------	------------------

WATER CHARACTERISTICS

pH	---	7.3	---	***	
Hardness	---	426.3	---	*****	
Bicarbonate	ppm	373.3	1015.4	*****	
Carbonate	ppm	0	0	*	

IMPACT ON GENERAL PLANT GROWTH

Electrical Conductivity (ECw)	mmhos/cm	0.96	---	*****	
Total Soluble Salts	ppm	614	1671	*****	

IMPACT FROM ROOT CONTACT

Sodium	meq/l	2.62	---	*****	
Chloride	ppm	2	5	*	
Boron	ppm	0.19	.5	****	

IMPACT FROM FOLIAGE CONTACT

Sodium	ppm	60.2	164	*****	
Chloride	ppm	2	5	*	

IMPACT ON SOIL STRUCTURE

Sodium Absorption Ratio Adj	meq/l	3.16	---	*****	
Electrical Conductivity (ECw)	mmhos/cm	0.96	---	*****	
Total Soluble Salts	ppm	614	1671	*****	

To maintain good soil structure in arid regions, irrigation water should have the capacity to replace the soluble salts being dissolved. If the salts being dissolved are not replaced, a decrease in permeability may occur.

No anticipated difficulty with most crops.

Some difficulty for sensitive & moderately sensitive crops.

ANALYSIS OF NUTRIENTS

PLANT NUTRIENTS AS NORMALLY AVAILABLE IN IRRIGATION WATER		NUTRIENT CONCENTRATION IN IRRIGATION WATER		MEQ/LITER		
NITRATE (NO ₃)	0.87	NITROGEN (N)	.5	CATIONS	K+	.22
PHOSPHATE (PO ₄)	0.43	PHOSPHATE (P ₂ O ₅)	.87		NA+	2.62
POTASSIUM (K)	8.43	POTASH (K ₂ O)	27.3		CA++	5.93
MAGNESIUM (Mg)	30.1	MAGNESIUM OXIDE (MgO)	135.4		MG++	2.48
CALCIUM (Ca)	118.8	CALCIUM (Ca)	323.1			
SULFATE (SO ₄)	217	SULFUR (S)	195.3	ANIONS	CL-	.06
MANGANESE (Mn)	0.50	MANGANESE (Mn)	1.36		SO4--	4.52
IRON (Fe)	2.7	IRON (Fe)	7.34		HCO3-	6.12
BORON (B)	0.19	BORON (B)	.5		CO3--	0

TOTAL CATIONS 11.24

TOTAL ANIONS 10.7

SAR 1.28



Sample Of WATER

Submitted By

DAKOTA DUNES DEV CO.

RR1 BOX 93B

DAKOTA DUNES, SD 57049

Submitted For

DON FUXA

Date Received

17-JAN-1990

Date Reported

22-JAN-1990

Samples Will Be Stored Until

5-FEB-1990

Laboratory No.

9043592

REPORT OF ANALYTICAL RESULTS

Client Sample Identification

WEST WELL

Analysis

Result

Total Coliform Bacteria
Total Hardness (as CaCO₃)
Electrical Conductivity
Nitrate Nitrogen

NONE DETECTED
420.5 PPM
0.96 MHOS/CM
0.20 PPM



- Almost all water samples analyzed contain some detectable nitrate levels.

- The mere presence of low levels of detectable nitrates in water is not a reason for concern.

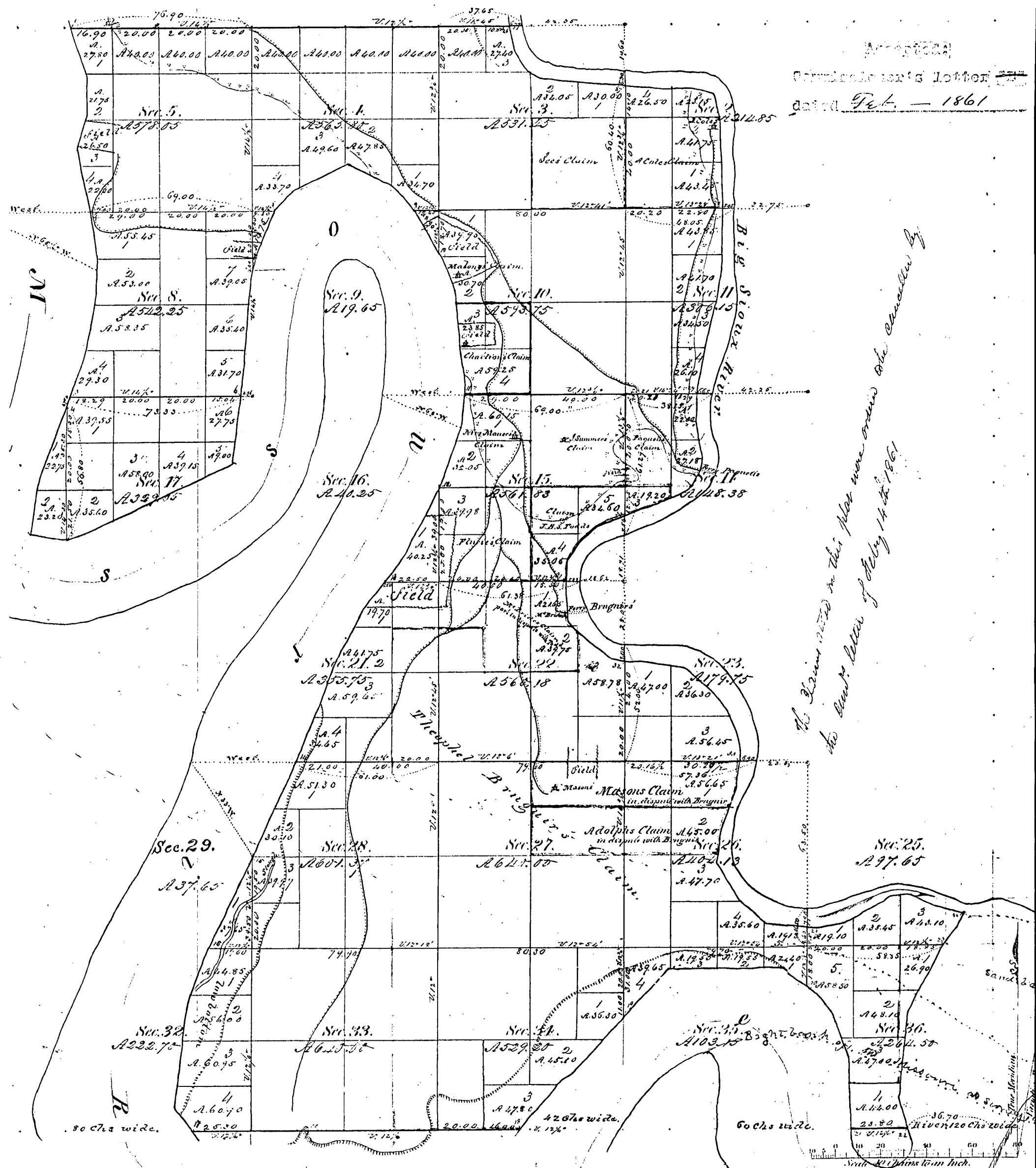
- The United States Environmental Protection Agency states that adverse health conditions in humans (particularly infants) may begin to develop when water nitrate concentrations are above 10 ppm.

YOUR RESULTS ARE BELOW THIS LEVEL

- Additional information can be obtained from your family physician, and your county or state department of health

Township No 89 N, Range No 48 West 5th Mer. Dakota.

Commissioner's Office
dated Feb. - 1861



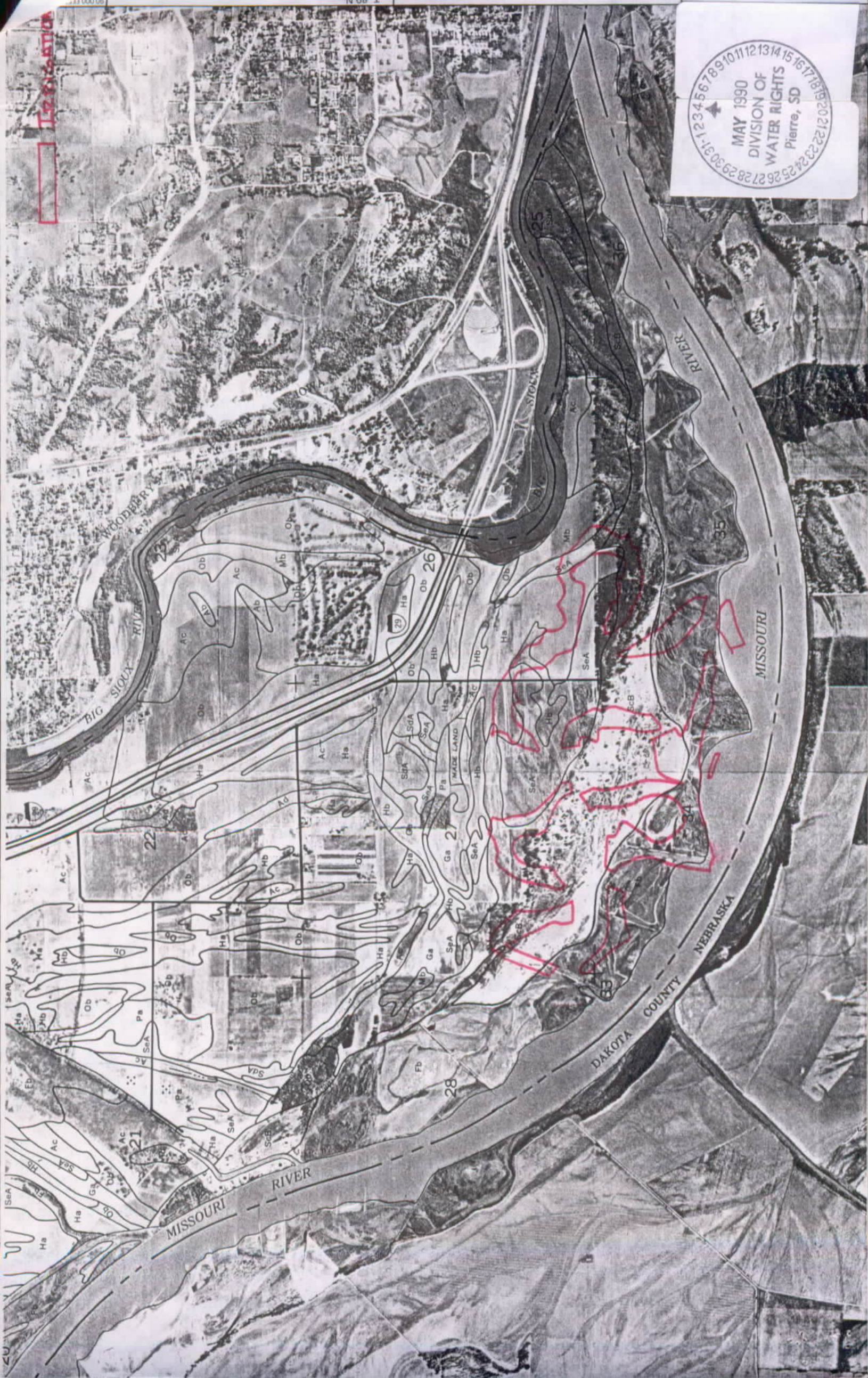
Total number of Acres 2113.44

By Whom Surveyed	Date of Contract	Amount of Survey M. Ch. Lk.	When Surveyed	When Changed in the Sur. Genl. Off.
John Field	Aug 1st 1860	4 15 8.5	November 1860	
"	"	49 43 68	November 1860	
"	"	"	"	"
"	"	"	"	"
"	"	"	"	"
"	"	"	"	"
"	"	"	"	"
"	"	"	"	"
"	"	"	"	"
"	"	"	"	"

The above Map of Township No 89 North
Principal Meridian Dakota is a true
copy of the survey thereof on file in this Office which have
been
Surveyor General's Office
Dubuque July 24th 1861

000 06

122160 城市





DAKOTA DUNES GOLF COURSE TRACT LAYOUT

Not to Scale

SCHIEVER S

ATTACHMENT TO APPLICATION FOR IRRIGATION WELL RIGHTS

<u>LAND DESCRIPTION</u>	<u>NO. ACRES IRRIGATED</u>
NW 1/4 SW 1/4 SEC 27	5.25
NW 1/4 SW 1/4	4.83
NW 1/4 SE 1/4	3.23
NE 1/4 SE 1/4	7.94
NW 1/4 SW 1/4 SEC 26	1.32
SW 1/4 SW 1/4 SEC 27	8.08
SE 1/4 SW 1/4	7.23
SW 1/4 SE 1/4	9.31
SE 1/4 SE 1/4	3.48
SW 1/4 SW 1/4 SEC 26	12.24
SE 1/4 SW 1/4 SEC 26	9.17
NW 1/4 SEC 34	1.42
NE 1/4 NW 1/4 SEC 34	1.42
NW 1/4 NE 1/4 SEC 34	1.42
NE 1/4 NE 1/4 SEC 34	1.42
SW 1/4 NE 1/4 SEC 35 (Gov't Lot 4)	7.17
SE 1/4 NW 1/4 SEC 34	5.85
SW 1/4 NE 1/4 SEC 34	11.01
SE 1/4 NE 1/4 SEC 34	9.41
SW 1/4 NW 1/4 SEC 35 (Gov't Lot 4)	9.49
SE 1/4 NW 1/4 SEC 35 (Gov't Lot 3)	0.38

All property is in Township 89N and Range 48W



REPORT ON APPLICATIONS NOS. 5437-3 AND 5438-3
FOR DAKOTA DUNES
May 8, 1990

Application No. 5437-3 proposes to appropriate 9.0 cfs (3475 acre feet annually) from 2 wells, 117 and 144 feet deep. The wells are to be located in the SE 1/4 NE 1/4 and the SW 1/4 NE 1/4 of section 35, T89N R48W in Union County.

Application No. 5438-3 proposes to appropriate an additional 2.5 cfs from one well (151 feet deep). This well is to be located in the SE 1/4 NE 1/4 of section 34, T89N R48W. This application also requests to amend existing permit No. 2709-3 to change the location of irrigated acreage and to use the existing well for this permit as a backup water supply. The combined diversion for the new well and the backup well is 4.5 cfs. The 2.0 cfs developed for Permit No. 2709-3 is to be transferred to this application.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point (M-EP) is an alluvium mantled outwash (sand and gravel) which is predominantly under water table conditions in this area. The aquifer underlies 99,400 acres and contains 1.5 million acre feet of recoverable water in storage in Union County (Hedges, 1982). The aquifer is hydraulically connected to the Big Sioux South aquifer in Union County and the M-EP aquifer in Clay County. Also the Big Sioux River and the Missouri River are hydraulically connected to the M-EP aquifer. The Division of Water Rights monitors 28 observation wells completed into the M-EP aquifer in Union County. Water level records for these show good correlation with climatic conditions, that rising during wet years and gradually declining during dry years (Water Rights, 1990). Drawdowns caused by pumping are not significantly affecting water levels in the observation wells and are not adversely affecting water availability from the M-EP aquifer.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing Right No. 2011-3 which obtains ground water from the M-EP aquifer in this area. The well for this right is approximately 1 mile from an existing or proposed diversion for this application. Interference is not expected to be a problem. Drawdowns created by pumping will not extend very far from an individual production well in this aquifer because of the thickness and aquifer conditions and the close proximity to the Missouri River.

CONCLUSIONS

1. Water is available from the M-EP aquifer.

2. Interference is not expected to be a problem.
3. Application No. 5438-3 requests a diversion of 4.5 cfs from two wells into a 41.4 acre foot holding pond. The application then requests a diversion of 3.73 cfs from the pond to irrigate 172.92 acre. The statutory limit for this diversion is 2.47 cfs for this acreage (346 acre feet per year).
4. Permit No. 5437-3 is for public water supply. Any wells constructed for this application must be constructed in accordance with SD Well Construction Standard 74:02:04:30. The annual withdrawal is limited to 3475 acre feet.
5. Irrigation Permit No. 2709-3 will be transferred to Permit application No. 5438-3. Permit No. 2709-3 authorizes 2.0 cfs (reportedly developed) for irrigation of 185 acres. Priority for Permit No. 2709-3 can be transferred with the change in acreage and diversion location without adverse affect on existing users. The existing irrigation well will be used as a backup well and the combined diversion from both wells can not exceed 4.5 cfs.
6. All wells authorized by these applications must be constructed by a licensed SD well driller.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

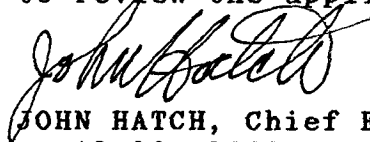
Hedges, L.S., 1982, EVALUATION OF GROUND WATER RESOURCES EASTERN SD AND UPPER BIG SIOUX RIVER, SD AND IOWA, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, SD, 57069.

Water Rights, 1990, OBSERVATION WELL RECORDS FOR THE M-EP AQUIFER IN UNION COUNTY, SD DWR, Div. of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5438-3, Dakota Dunes Golf Course

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. 5438-3, Dakota Dunes Golf Course, RR 1, Box 93B, Dakota Dunes SD.

The Chief Engineer is recommending DEFERRAL of Application No. 5438-3 to allow additional time to review the application.


JOHN HATCH, Chief Engineer
April 19, 1990

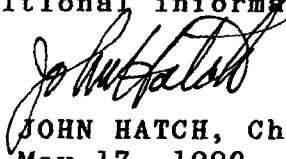
REVISED RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5438-3, Dakota Dunes Golf Course

Pursuant to SDCL 46-2A-2, the following is the revised recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5438-3, Dakota Dunes Golf Course, RR 1, Box 93B, Dakota Dunes SD.

The Chief Engineer is recommending APPROVAL of Application No. 5438-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Approval of Permit No. 5438-3 authorizes construction of a lake with 41.4 acre feet of storage.
5. The pumping rate from the lake for irrigation is limited to 2.47 cfs (1110 gpm).

See the attached report for additional information.


JOHN HATCH, Chief Engineer
May 17, 1990

 **Department of
Water & Natural Resources**

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

April 20, 1990

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

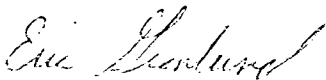
Greg Meyer
Dakota Dunes Golf Course
RR #1 Box 93B
Dakota Dunes, SD 57049

Dear Mr. Myer:

Water Permit Application No. 5438-3 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 Leader-Courier printed at Elk Point SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation will be sent to you at a later date. 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,



Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: This recommendation was prepared prior to receiving an approved Soil/Water Compatibility Application (SWCA) from the Department of Agriculture in order to avoid delaying Application No. 5416-3 until the July, 1990 Water Management Board meeting. Pursuant to General Rule 74:02:01:09, an approved SWCA must be received prior to a hearing being held on a water permit application. If your approved SWCA is not received prior to the May 23, 1990 hearing, then Application No. 5416-3 will need to be rescheduled for a later hearing date. Approval of the SWCA by the Department of Agriculture is also subject to review by the Conservation Commission. This note is to advise you that authorizing publication of the enclosed notice of hearing may NOT result in a hearing at the May 23, 1990 Water Management Board meeting due to the above described circumstances. In addition, once the application is advertised for hearing, the cost of publication will be an expense incurred if the SWCA is denied by the Department of Agriculture.



Department of Water & Natural Resources

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

April 20, 1990

Leader Courier
Box 310
Elk Point, SD 57025-0310

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 5438-3 to be published twice. Please publish the first notice on or before April 26, 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 Greg Myer, Dakota Dunes Golf Course, RR #1 Box 93B, Dakota Dunes, SD 57049.

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,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on or before April 26, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5438-3 to Appropriate Water
and to Amend Water Permit No. 2079-3

Notice is given that Dakota Dunes Golf Course, RR 1, Box 93B, Dakota Dunes SD 57049 has filed an application for a water permit to change the location of irrigated acreage, to add a diversion point and to increase the diversion rate. Water Permit No. 2079-3 appropriated 2.64 cubic feet of water per second (cfs) from one well, 101 feet deep, located in the center of the SE1/4 section 27 to irrigate 185 acres in the SE1/4 section 27; NW1/4 SW1/4 section 26; all in T89N-R48W. This application is to amend Permit No. 2079-3 to change the location of a portion of the irrigated acreage described on No. 2079-3. The change in location of the irrigated acreage is for development of a 173 acre golf course in the following area: S1/2 section 27; S1/2 SW1/4, NW1/4 SW1/4 section 26; N1/2 section 34; NW1/4 (Government Lots 3 & 4) section 35; all in T89N-R48W. This application is also to add a well, 152 feet deep, to be located in Government Lot 1 (SE1/4 NE1/4) section 34-T89N-R48W and to increase the diversion rate to 4.50 cfs from the proposed well. The existing well authorized by Permit No. 2079-3 is capable of diverting 2.00 cfs and is to be maintained as a backup well after construction of the proposed well. Water is to be diverted to a lake (dugout) from the proposed well and then be diverted to the 173 irrigated acres at a rate of 3.73 cfs. The lake (approximate storage capacity 41.4 acre-feet) is to be located in the SE1/4 SE1/4 section 27-T89N-R48W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends DEFERRAL of Application No. 5438-3 to allow additional time to review the application. This application will be considered by the Water Management Board in the Pelican Room, Ramkota Inn, Hwy 212, Watertown, SD on May 23, 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 May 11, 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 May 11, 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; 46-5-33 thru 46-5-35; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Union) ss.

I, Lester E. Emerson

certify that the attached printed Notice was taken
 from the The Leader-Courier

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

_____ City _____ of Elk Point

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

April 26, 1990

May 3 1990

Lester E. Emerson
 (Signature)

Editor/Publisher
 (Title)

May 3, 1990

(Date Signed)

Cost of Printing: ~~25.00~~ 45.75

NOTICE OF HEARING
On Application No. 5438-3 to
Appropriate Water and to Amend
Water Permit No. 2079-3

Notice is given that Dakota Dunes Golf Course, RR 1, Box 93B, Dakota Dunes, S. D. 57049 has filed an application for a water permit to change the location of irrigated acreage, to add a diversion point and to increase the diversion rate. Water Permit No. 2079-3 appropriated 2.64 cubic feet of water per second (cfs) from one well, 101 feet deep, located in the center of the SE $\frac{1}{4}$ section 27 to irrigate 185 acres in the SE $\frac{1}{4}$ section 27; NW $\frac{1}{4}$ SW $\frac{1}{4}$ section 26; all in T89N-R48W. This application is to amend Permit No. 2079-3 to change the location of a portion of the irrigated acreage described on No. 2079-3. The change in location of the irrigated acreage is for development of a 173 acre golf course in the following area: S $\frac{1}{2}$ section 27; S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ section 26; N $\frac{1}{2}$ section 34; NW $\frac{1}{4}$ (Government Lots 3 & 4) section 35; all in T89N-R48W. This application is also to add a well, 152 feet deep, to be located in Government Lot 1 (SE $\frac{1}{4}$ NE $\frac{1}{4}$) section 34-T89N-R48W and to increase the diversion rate to 4.50 cfs from the proposed well. The existing well authorized by Permit No. 2079-3 is capable of diverting 2.00 cfs and is to be maintained as a backup well after construction of the proposed well. Water is to be diverted to a lake (dugout) from the proposed well and then be diverted to the 173 irrigated acres at a rate of 3.73 cfs. The lake (approximate storage capacity 41.4 acre-feet) is to be located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 27-T89N-R48W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends DEFERRAL of Application No. 5438-3 to allow additional time to review the application. This application will be considered by the Water Management Board in the Pelican Room, Ramkota Inn, Hwy. 212, Watertown, S. D. on May 23, 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 May 11, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, S. D. 57501 (605



773-3352)". The petition must 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 petitioner. The request for a delay must be received by May 11, 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] 46-5-33 thru 46-5-35; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

ERIC GRONLUND
Natural Resources Engineer
Pub. Apr. 26 and May 3. 5-3



Department of Water & Natural Resources

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

5438-3

SEP 12 1990

Allan Block, District Manager
Dakota Dunes Community Improvement Dist.
RR #1 Box 93B
Dakota Dunes, SD 57049

Dear Mr. Block:

Enclosed is Water Permit No. 5438-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

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

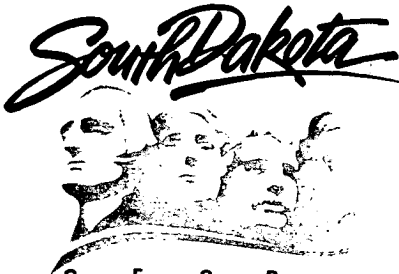
Very truly yours,

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

enclosures

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

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



GREAT FACES. GREAT PLACES.

February 1, 1991

DAKOTA DUNES GOLF COURSE
RR 1 BOX 93B
DAKOTA DUNES SD 57049

DEPARTMENT OF WATER & NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit No(s) 5438-3

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 5438-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 5438-3 qualification:

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

The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s) 5438-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 is received in this office before the February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: DAKOTA DUNES GOLF COURSE RR 1 BOX 93B DAKOTA DUNES SD 57049	4. Article Number P 694 057 430 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and <u>DATE DELIVERED</u>.
5. Signature — Addressee X <i>Rebecca L. West</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent X	
7. Date of Delivery 2-14-91	

PS Form 3811, Apr. 1989

★ U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 21, 1991

5438-3

Dakota Dunes Development Company
% Doug Hausman
RR #1 Box 93B
Dakota Dunes, SD 57049

Dear Mr. Hausman:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Permit No. 5438-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 1998

5786-3

Dakota Dunes Golf Course
%Doug Hausman
960 South Dakota Dunes Ave.
Dakota Dunes, SD 57049

Dear Mr. Hausman:

Enclosed is Water License No. 5786-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414060 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. 5786-3, 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

gm
enclosures

NOTE: The applicable portions of Water Permit Nos. 2079-3 and 5438-3 are being incorporated into this water license.