

No. 547-3RECEIVED
NOV 14 1958Water Division No. 3 District Big Sioux
(Blanks to be filled by the Engineer for the W. R. C.)RECEIVED
AUG 26 1958
3:40 PMSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To Appropriately Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Thomas Folker, President, Madison Country Club
Postoffice address Madison, County Lake, State S. D.

- I. If a corporation YES

(a) Name of same Lake Herman Recreational Association

(b) Date and place of incorporation August 24th 1946--Madison, S.D.

(c) Amount of capital stock \$50,000.00

(d) Amount paid in \$43,300.00

(e) Names and addresses of directors Thomas Folker--Madison, S. D.

Dr. E. H. Braskamp--Madison, S. Dak., G. J. Christensen--Madison, S. D.
Robert Ferguson--Madison, S. Dak. Leslie Spodolski--Madison, S. D.
Dr. H. R. Wold--Madison, S. D.
Bill Newcomb--Madison, S. D.

(NOTE—A certified copy of articles of incorporation must accompany the application.)

- II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work

3. Amount of water claimed 400 gal. per min. 0.88 cfs 0.78 cfs minimum
cubic-feet per second at the intake

4. Source of water supply Creek entering into Lake Herman

5. Location of point of diversion Lot 1 SW 3-106-53

on east bank of lake County.

6. Annual period or periods during which water is to be used May 1st to October 1st.

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? sprinkling

(a) Number of acres to be irrigated 51.9 acres Plot Lot 1 S. 3. 20.90 A and W. 3. 30.0 A

(b) Legal subdivisions to be irrigated RR & HW--Coffey's Sub of 3810-106-53 (4.0 A)

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

- II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Recreation

Name any of the above uses claimed

(b) Amount of power to be generated horse power

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

8. Estimated cost of work:

(a) Head Gates, \$-----

(b) Pumping plant, \$-----

(c) Fluming, \$-----

(d) Canal-earth, \$-----

Rock, \$-----

(e) Other structures

Pump and pipe \$ 3,000.00

Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

Pumping plant

II. Dimensions of works:

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top ----- feet; slope at front water face -----; slope at back face -----

material used in construction -----

(b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater mark ----- acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE-Feet CAPACITY

(c)* Head gate: Width ----- feet; height ----- feet;
Material -----

(d) Canal: Total length ----- miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet

(Give dimensions where reductions in size are made.)

10. Irrigation began in May 1947. ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate -----

STATE OF SOUTH DAKOTA

County of DeWitt ss.

I, Sam Feltner, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Sam Feltner Pres

Subscribed and sworn to before me this

26

day of

August1947

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

"Vested Right Claimed"

STATE OF SOUTH DAKOTA

County of

Flughes

ss.

Pierre, South Dakota,

This is to certify that the foregoing application was received by Commission at 2:00 o'clock

P.m. upon the 26 day of August, 1958

State Water Resources Commission

By:

J. W. R. Miner

Chief Engineer, Executive Officer

Number of permit

547-3

Date of first receipt of application

August 26

1958

Date of return to applicant for correction, amendments or changes required as follows

September 15

1958

Date of receipt of corrected application

November 14

1958

Date from which applicant may claim right

May 1947

1958

Approved

November 24

1958

Recorded in Book

5-11947

Page 56

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

Completed, 1958

2nd. The whole of said work is to be completed on or before

Completed

1958

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

Completed, 1958

4th. The water appropriated shall be used for the purpose of

irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 0.78 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before Completed, 1958; said water to be used during the following described annual period:

May to September inclusive

Witness my hand this

6

day of

December

1958

State Water Resources Commission

By:

J. W. R. Miner

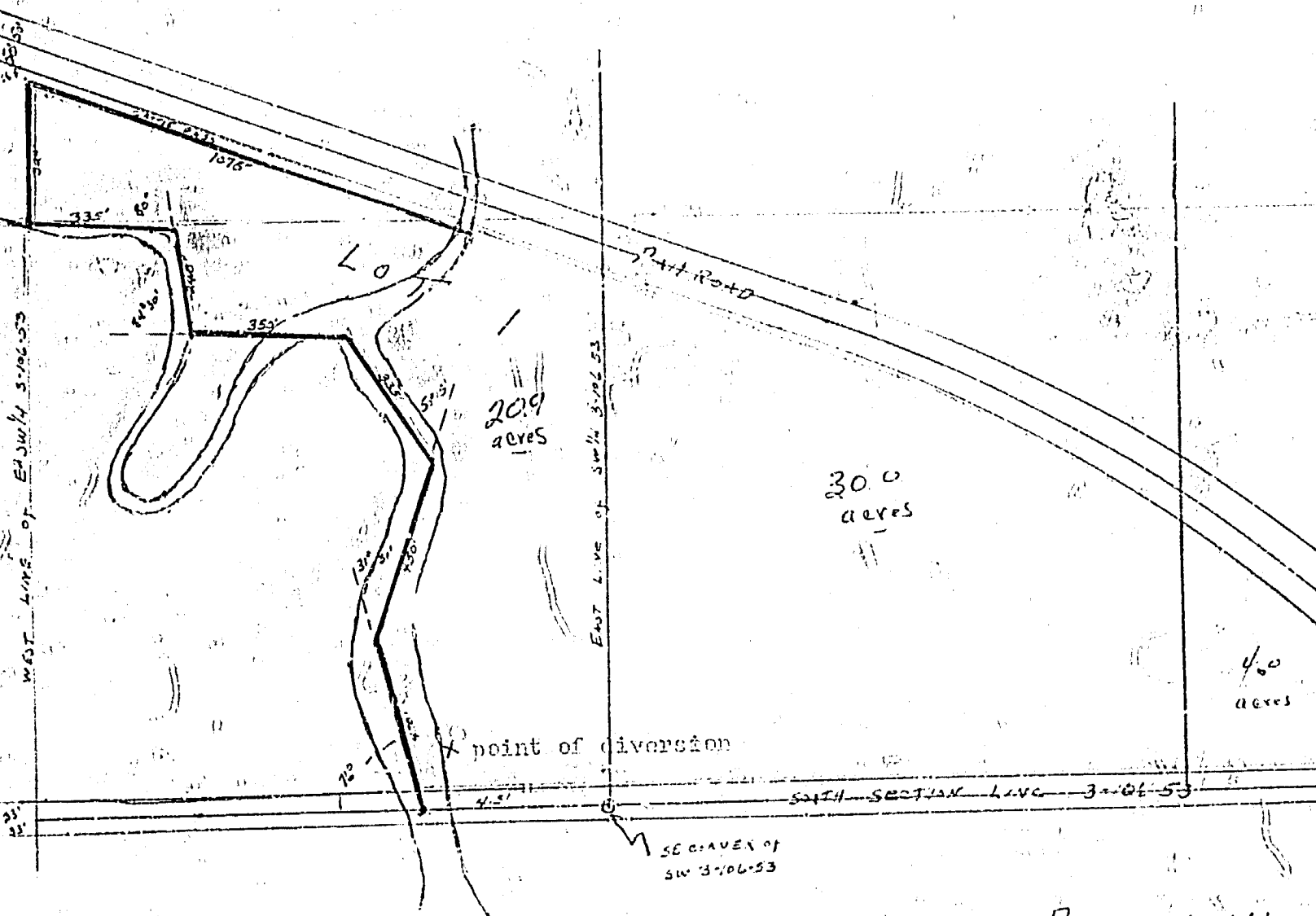
Chief Engineer, Executive Officer

Certificate of Construction Issued

December 6, 1958

Water License Issued

December 6, 1958



LAKE HERMAN RECREATIONAL
(MADISON GOLF CLUB)
OUTLINED IN RED.
LAKE COUNTY, S.D.

STATE OF SOUTH DAKOTA

WATER LICENSE No. 547-3

WHEREAS, On the 26th day of August A. D. 1958

The Lake Herman Recreational Association

of Madison County of Lake and State of South Dakota duly made application (No. 547-3) to us for a permit to use 0.88 cubic feet per second of the waters of an un-named Creek

County of Lake, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 6th day of December A. D. 1958
Vested Right Permit No. 547-3 was issued to said applicant... for the diversion of 0.78 cubic feet per second of said water, and recognizing

completion of the works of diversion therein described on XXXXXX XXXXXX
in May 1947 XXXXXX and XXXXXX application to beneficial use of said water XXXXXX XXXXXX in May 1947 XXXXXX and,

WHEREAS, On the 26th day of August A. D. 1958
Vested Right the holder... of said permit duly made proof of the completion of adequate works for the diversion of 0.88 cubic feet per second of said waters, as evidenced by our Certificate No. 547-3 dated December 6, 1958 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 0.88 cubic feet per second of water, with date of priority of May 1947 and, and,

WHEREAS, On the 26th day of August A. D. 1958
 proof was duly made of the application to beneficial use of 0.78 cubic feet per second of said water; on 54.0 acres located in lot 1, SW 1/4, W 1/2 SE 1/4 both in Sec. 3, T 106 N, R 53 W and RR and HW - Coffeys Subdivision of Sec's. 3 and 10, T 106 N, R 53 W more particularly described in Certificate of Completion of Works #547-3

NOW, THEREFORE, by the virtue of the authority vested in us by the laws of the State of South Dakota,
 We hereby grant and confirm to the Lake Herman Recreational Association
 of Madison, South Dakota the holder and owner of Vested Right permit No. 547-3
 a water right, dating from May 1947 to the use of 0.78
 cubic feet per second of the waters of an un-named creek
 in the County of Lake and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted in Lot 1, SW 1/4, Sec. 3, T 106 N,
R 53 W
 and conducted to and upon Lot 1, SW 1/4, W 1/2 Sec. 3, T 106 N, R 53 W
and RR and HW-Coffey's Subdivision of Sec's 3 and 10, T 106 N, R 53 W
more particularly described in Certificate of Completion of Work #547-3
 for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
 State, and subject, also to the local or community customs, rules and regulations which have been or may be
 adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
 which such water may be taken, when such rules and regulations have for their object the economical use of such
 water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
 this 6th day of December A. D. Nineteen
 Hundred and Fifty-eight

State Water Resources Commission
 By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

c. f. s. _____

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 547-3Water Division No. 3, Big Sioux River, Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That The Lake Herman Recreational Associationof Madison, County of Lake, and State of South Dakota, the holder of Vested Right Permit No. 547-3, issued upon ApplicationNo. 547-3, bearing date of priority of May 1947, authorizing the diversion of0.78 cu. ft. per second of the waters of on un-named CreekCounty of Lake, State of South Dakota, in Lot 1, SW 1/4, Sec.3, T 106 N, R 53 Wfor irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 0.88 cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: Lot 1, SW 1/4) 20.9 acres
W 1/2 SE 1/4) all in Sec. 3, T 106 N, R 53 W 30.0 acres

RR and HW-Coffey's Subdiv. of Sec's 3 and 10, 4.0 acres
T 106 N, R 53 W

54.9 acres

Witness my hand this 6th day of December A. D. 1958.

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

ARTICLES OF INCORPORATION
OF LAKE HERMAN
RECREATIONAL ASSOCIATION

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, Dr. J. A. Juggly, O. J. Tommeraaen and P. W. Newcomb, for ourselves, our associates and successors, have associated ourselves together for the purpose of forming a corporation under and by virtue of the statutes and laws of the State of South Dakota, and we do hereby certify and declare as follows:

FIRST: The name of this corporation shall be the "Lake Herman Recreational Association".

SECOND: The purpose for which this corporation is formed is to encourage and foster all out of door sports and amusements, including golf, and to have a non-profit, non-stock association and to own, establish and maintain a social organization with the club house, golf course, and such other recreational facilities as may from time to time be determined necessary and expedient, and to acquire, hold and own real estate and personal property in order to carry into effect the objects and purposes for which this corporation is formed, and to sell and dispose of same.

THIRD: The place where the principal business of this corporation shall be transacted in Madison, in the County of Lake, State of South Dakota, but that branch offices may be located at other points as may be necessary and expedient.

FOURTH: The term for which this corporation shall exist shall be perpetual.

FIFTH: The number of Directors of this Corporation shall be seven (7) and the names and residences of the persons who are to serve as such until the election of directors and their qualification are as follows:

<u>Names</u>	<u>Residences</u>
Dr. J. A. Juggly	Madison, South Dakota

O. J. Tommeraason
P. W. Newcomb
D. J. Slattery
R. J. Thue
J. H. Lammers
J. J. Mackay

Madison, South Dakota
Madison, South Dakota
Madison, South Dakota
Madison, South Dakota
Madison, South Dakota
Madison, South Dakota

SIXTH: This corporation shall have no capital stock and that it shall consist of members only to whom membership certificates shall be issued in accordance with the terms and provisions of the by laws adopted by this corporation and the rules and regulations as, if, and when approved and confirmed.

IN TESTIMONY WHEREOF, We have hereunto set our hands this 24th day of August, 1946.

J. A. Muggly

O. J. Tommeraason

P. W. Newcomb

STATE OF SOUTH DAKOTA)
COUNTY OF LAKE) SS.

BE IT REMEMBERED, That on this 24th day of August, 1946, before the undersigned personally appeared the above named persons, well and personally known to me to be the same persons described in and who executed the foregoing instrument and severally duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

J. H. Lammers
Notary Public, South Dakota

My Commission expires: March 17, 1949.

STATE OF SOUTH DAKOTA)
COUNTY OF LAKE) SS.

J. A. Muggly

AND

O. J. Tommeraason

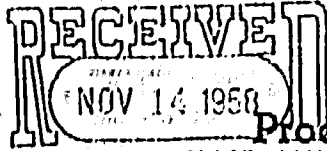
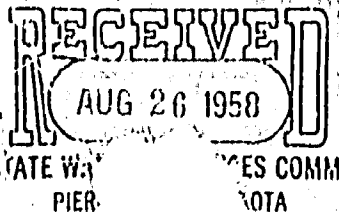
being duly sworn, each for himself deposes and says: That he is one of the persons described in and who signed the foregoing Articles of Incorporation as an incorporator therein; that he has read said articles and knows the contents thereof; that the incorporators intend in good faith to form a corporation for the purpose of the promotion of a lawful business, as set forth in said articles, and not for the purpose of enabling any corporation or corporations to avoid the provisions of Chapter 13.18 of South Dakota code of 1939, relating to unlawful trusts and monopolies, and laws amendatory thereto.

J. A. Muggly

O. J. Tommeraason

Subscribed and sworn to before me this 24th day of August, 1946.

J. M. Iamers
Notary Public, South Dakota.

Location No. 547-3Water Division No. 3Water District Big Sioux River STATE WATER RESOURCES COMM. PIERRE, SOUTH DAKOTASTATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use.

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Thomas Welker-216 West Avenue W., Madison, South Dakota (President)
Insurance and Real Estate.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. Lake Herman Recreational Association, Madison, South Dakota
President of Lake Herman Recreational Association

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. _____

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Creek entering into Lake Herman--east bank of Lot 1 SW 3-106-53
as shown on accompanying map.

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. Gorman-Rupp Centrifugal Pump Model #54M & Electric Pump
500 feet of 5" Alum. Pipe, 1750 feet of 4" Alum. Pipe
36 Sprinkler's--10 Sprinkler's
(40'-3/16) (30'-3/16)
10 Low Sprinkler's--Some Steel Pipe.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Flat Lot 1 SW (20.00 A) and NW SW (30.0 A) RP & HM--Coffee's Sub
10-106-53 (1.0 A)

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. _____

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Irrigation began May 1947.

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. Began in May, 1947 - 400 gal per min. - (25) acres irrigated.
overall irrigation used only approx. 1 to 2 months of year.

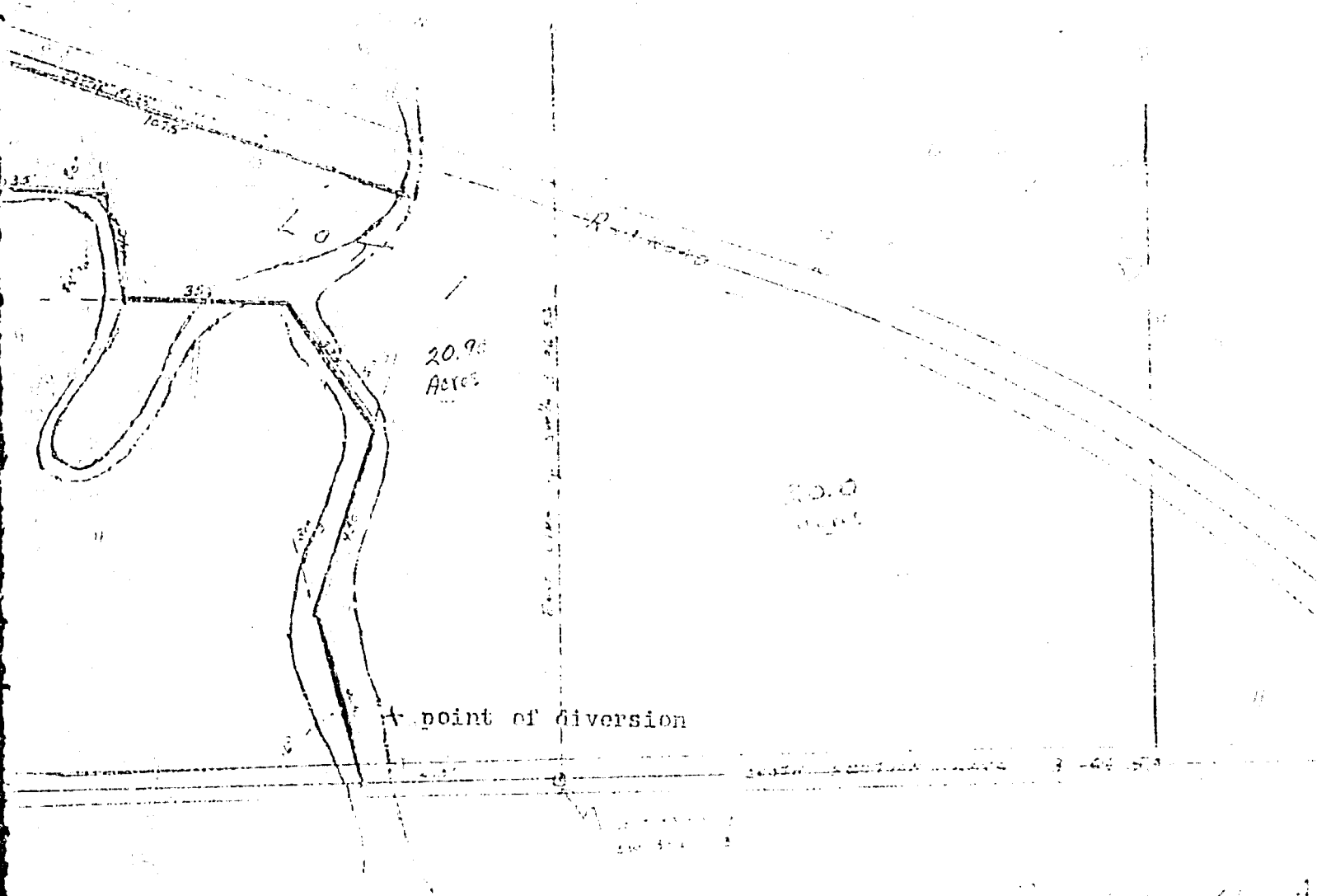
(Sign) Tom Filbeck Price

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Sioux, County of Butte, State of South Dakota, on this 26th day of August, A. D. 1948

Witnesses.

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Location No. _____	
PROOF OF APPLICATION OF WATER TO BENEFICIAL USE	
PETITION OF HOLDER	
Amount of Water _____ c. f. s.	
Source _____	
County _____	
Purpose _____	
Place of Use _____	
Date of recording _____	
Received and filed _____	



Land ...
...



DEPARTMENT OF **GAME**
AND **PARKS**

PIERRE, SOUTH DAKOTA

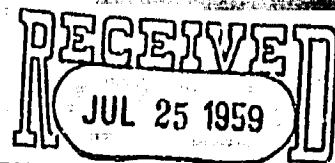
July 24, 1959

COMMISSIONERS

OLIVER HEISMEYER, ESTELLINE
CHAIRMAN
HOLGER ANDERSON, SIOUX FALLS
VICE CHAIRMAN
CHRIST CHRISTIAN, MILBANK
DANE H. CONDER, BUFFALO GAP
DELL L. DAWSON, ABERDEEN
JAMES C. DOWD, MISSION
CECIL W. DUNCAN, MITCHELL
DWIGHT SWFA, LEMMON

DIRECTOR

HARRY R. WOODWARD, PIERRE



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Mr. Joe Grimes, Chief Engineer
Water Resources Commission
Pierre, South Dakota

Dear Joe:

The Game, Fish and Parks Commission, State of South Dakota herewith enters objection to the diversion of water from Lake Herman at a point in Lot 1, SW $\frac{1}{4}$, Section 3, Township 106, Range 53. This water is conducted to and upon 20.90 acres located in Plat Lot SW $\frac{1}{4}$ and 30 acres in W $\frac{1}{2}$ SE $\frac{1}{4}$ and 4.0 acres in RR and HW -- Coffey's Sub of Section 3, and 10, Township 106, Range 53 for the purpose of irrigating golf course fairways.

Our object is based on the detrimental effects which will soon result to the public recreational use of the lake and shoreline as the water level is lowered.

Sincerely,

HARRY R. WOODWARD, DIRECTOR
DEPARTMENT OF GAME, FISH AND PARKS

HRW:EBJ:rh

*Copy of letter to Governor - 16, R 547-3
sent to Governor 7/2/59*

Madison, South Dakota,
July 23, 1959.

Mr. Herseth,
Governor of South Dakota.

Dear Sir;

There is an irrigation project in process in this vicinity that I, as a very active outdoor sportsman, believe is illegal.

The Madison Golf Course, located about 3 miles west of Madison and it is situated generally between the Izaak Walton Club grounds and State Highway 34. This golf course is approximately 70 acres (this is a rough estimate).

This golf course is being irrigated from Lake Herman every day. The pumps are located at the mouth of the lake, and are in operation apparently all day long. I have visited this site several times and each time I have found the pumps to be in operation. I realize that our rainfall has been below normal this year; but, I feel this operation should be halted as the water level of the lake has dropped quite considerably.

Several letters from various citizens of this area have been sent to the Water Resources Board at Pierre and it seems as if they will not take action to prevent this operation. The board claims that the golf club can irrigate with this water until the lake reaches a low water level. Just what this low water level really is has never been noted or posted. Two years ago we had this operation halted by such action as mine; but, is it necessary to bother you and other State Officials each year?

We, at Madison, take great pride in the beauty of Lake Herman State Park; each of us sort of "call it our own". This park does not cover the whole of Lake Herman I know; but, if this lake is allowed to go down in water level it will be no more than a "slough", as our local Game Warden likes to think of it.

When the water level was high in this lake, fishing was at its best comparable to and above Lake Madison. Last winter this lake froze up and therefore killing the game fish. If this irrigation project is allowed to go on the same will

repeat itself. If this situation repeats itself our state will have lost a great deal of money as there was a considerable amount of game fish transplanted to this lake just this spring. Please understand that the winter kill was not 100% because I don't believe any winter kill is that great; but, it was large enough so that game fishing is nil.

This letter is not the result of an outburst of temperament, but the result of innumerable conversations with local sportsmen. If it is necessary to take further actions, such as petitions, please advise.

Thank you very much,

Edgar C. Johnson.

July 27, 1959

Mr. Thomas Felker, President
Lake Herman Recreational Association
Madison, South Dakota

Dear Mr. Felker:

As holder of water rights for public use of the "state navigable waters" in Lake Herman, the South Dakota Department of Game, Fish and Parks have requested stoppage of water withdrawals from Lake Herman for other than "domestic use". "Domestic use" as defined in the State water laws includes single family household use, stockwater and irrigation of not to exceed one-half acre. "Domestic use" of water has preference over all other uses.

On navigable (public recreation) lakes, such as Lake Herman, another preference over irrigation withdrawals is involved. At and below ordinary low levels in the lake, public recreation use has preference. It is evident that the water level in Lake Herman now is much lower than is usual.

It has become necessary, therefore, to curtail irrigation use with-drawals of water from Lake Herman, under your irrigation water right 547-3. You are hereby notified that irrigation of the fairways on your golf course is to be stopped immediately. Irrigation of the greens and approach shoulders at the greens may continue providing that the aggregate of the area irrigated, including lawns, shrubs, trees, etc. around the club house, does not exceed one-half acre.

Thomas Folker

2

July 27, 1959

I am sorry that this restriction for irrigation use of water on your fairways is necessary. The fairways, however, will survive the drought conditions during the remainder of this year. Irrigation of the greens will maintain your investment in them.

This order extends to the current irrigation season only. If relief becomes possible during the remainder of this year, I will notify you.

Sincerely,

J. W. GILES
Chief Engineer

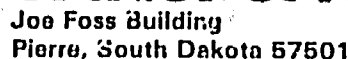
JWG:ls

cc - each Water Resources Commissioner

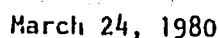
Harry R. Woodward, Director
Dept. of Game, Fish and Parks
Pierre, South Dakota

bc Governor Herseth

Note: Reference to letter to you dated July 23, 1959
from Edgar C. Johnson, Madison, South Dakota



Water Rights, Water Management Division
(605) 773-3352



Madison Country Club
Box 293
Madison, SD 57042

Dear Sirs:

Per your 1979 Irrigation questionnaire, you indicated that Water Right No. 547-3, in the name of Lake Herman Recreational Association, was the old name of Madison Country Club and could be dropped.

At this time, I am uncertain as to what your intentions were in regard to the water right. Do you actually want the old permit dropped or cancelled, or do you wish the old name be changed to the new name and kept up-to-date?

I would appreciate your assistance in this matter, if you have any questions, please contact this office. A postage paid envelope is enclosed for your convenience in reply.

Sincerely,

GENNY YOUNG
Staff Assistant

9y Genny, water Permrts should both be in the name of madison Country club as the name was official change a few years ago. Sorry for the mix up

Thank you

Equal Opportunity Employer



GORDON ANDERSON-PROFESSIONAL
MADISON GOLF & COUNTRY CLUB
MADISON, SOUTH DAKOTA 57042
6/1 - 255-3991

67-255-3991
J. Anderson



Department of Water & Natural Resources

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

March 23, 1987

D ELLIS-MADISON COUNTRY CLUB
PO BOX 254
MADISON, SD 57042

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4313-3. 547-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm. May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, 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(s), the Water Management Board can:

1. Amend Permit No(s). 4313-3, 547-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

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

NOTE: If the questionnaire(s) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

May 11, 1987

547-3
4313-3

D Ellis
Madison Country Club
PO Box 254
Madison, SD 57042

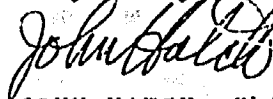
Dear Mr. Ellis:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 547-3 and 4313-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Your questionnaire was received prior to the May 6, 1987 Water Management Board Meeting and was no longer considered to be in violation. Your name was deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

MAY 10 1991

547-3

Madison Country Club
Box 254
Madison SD 57042

Dear Sir:

The Water Management Board has validated the enclosed Vested Water Right No. 547-3. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

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

enclosure

SOUTH DAKOTA

VALIDATION OF VESTED WATER RIGHT CLAIM NO. 547-3 FOR IRRIGATION

Date Claim Accepted For Filing August 26, 1958.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim Permit No. 547-3 for irrigation purposes for Madison Country Club, Box 254, Madison, South Dakota 57042 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 547-3 appropriates 0.78 cubic feet of water per second from an unnamed creek to irrigate 54.9 acres. The point of diversion is located in the SW 1/4, Section 3, T106N, R53W. The irrigated acres are located in the SW 1/4 and SE 1/4, Section 3, T106N, R53W.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per acre per year for each acre of irrigated land. The water is to be used during the following annual period: May 1 - September 30.
3. The priority date of the Vested Water Right is May 1, 1947.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

John Hubert
Chief Engineer
Division of Water Rights
Dept. of Environment and Natural Resources

MAY 10 1991

date

547-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 29, 1994

547-3
4313-3
5336-3

Madison Country Club
Bill Stromberg
P.O. Box 293
Madison, SD 57042

Dear Mr. Stromberg:

This letter is in response to receipt of the enclosed check for \$50.00 which you sent to us with your 1994 irrigation questionnaire.

Your check is being returned because the annual water rights fee is only a proposal. The fee information was provided to you to make you aware that the fees are being considered as an option to partially fund the Water Rights Division. Before any annual fee could be assessed, legislation must be passed.

I apologize for any confusion caused by our letter. Please contact me if you have any questions (605) 773-3352.

Sincerely,

Ron Duvall
Natural Resources Engineer
Water Rights Division

enclosure



January 14, 2004

547-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: MADISON COUNTRY CLUB, BILL STROMBERG, 1428 NE 4TH ST, MADISON, SD 57042

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 5336-3, 547-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 547-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5336-3 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 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) 5336-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 547-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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.



547-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 7933

Your item was delivered at 2:52 pm on January 16, 2004 in MADISON, SD 57042. The item was signed for by B STROMBERG.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

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Track & Confirm

Enter label number:

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SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 7933

MADISON COUNTRY CLUB
BILL STROMBERG
1428 NE 4TH ST
MADISON SD 57042

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

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547-3

**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 30, 2004

547-3
5336-3

Bill Stromberg
Madison Country Club
1428 NE 4th St
Madison SD 57042

Dear Mr. Stromberg:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 547-3 and 5336-3.

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