

Considered: _____

WATER PERMIT NO. 5542-3

Phone: 605 336-2880

Name of Applicant: Minnehaha Country Club

Post Office Address: c/o Dan Donohue, PO Box 1030, Sioux Falls SD 57101-1030

Amount of Water Claimed: no add'l (1.80) Total Acres: 3.5 add'l 4-change

Source of Water Supply: groundwater location _____

Water to be used for: irrigation County: Minnehaha

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 3-4-91 Fee: \$150.00 Remarks See Permit

Nos. 346-3 and 4316-3 ~~5542-3~~

Corrected Application Received _____ Period of Annual Use May 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED 4/22/91 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: NW 1/4 NW 1/4, SW 1/4 NW 1/4

Sec 30-T101N-R49W

Land to be Irrigated: NW 1/4, SW 1/4 Sec 30-T101N-

R49W

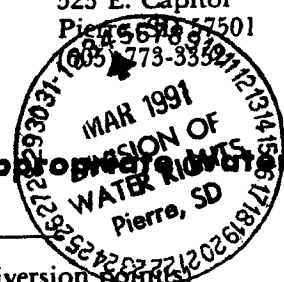
Well Log: Driller: Great Plains Eng. Lab. Licensed YES X NO _____

Depth of Well: 16' to 21' REMARKS _____

Type of Map: plat PREPARED BY: Eugene F Maurice Reviewed and the Number

Assigned on 4-22-91 By Karen Schlaak

No. 5542-3 Hydrologic Unit 10170203
Basin Big Sioux River
Newspaper Argus Leader, PO Box 5034 57117-5034



Type of Application: ☐ New ☐ Vested Right ☐ Amend Permit No. _____

☒ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)

☒ Add Acreage ☐ Increase diversion rate ☐ Other _____

Post Office Address P.O. Box 1030, Sioux Falls State SD 57101-1030
(Street, RR or Box) (City) 125 Zip Code

3. Source of Water supply Well (ground water)

4. Location of point of diversion ^{NW 1/4} NW 1/4 of Section 30, Township 101 North, Range 49 West
~~(See Permits #14061 and #14062)~~ SW 1/4 NW 1/4 Sec 30, T101N, R49W

County Minnehaha

5. Counties where water will be used Minnehaha

6. Annual period during which water is to be used May 1 through October 31

7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
Part of NW $\frac{1}{4}$, Sec. 30, Twp. 101-49	.5
Part of SW $\frac{1}{4}$, Sec. 30, Twp. 101-49	7.0

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ (Specify) _____ Other: Rainbird Sprinkle

9. Crops to be Irrigated: None

10. Give a description of proposed project. (Attach sheet if more-space is needed)

Applicant has acquired approximately 12 acres of land for construction of two new golf holes and one additional green. Applicant proposes to extend its existing watering system to irrigate approximately 7½ acres of the newly acquired property. Applicant will no longer need to irrigate approximately 4 acres which are currently irrigated.

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 Minnehaha)^{ss}

I, Gary P. Thimsen, the Vice President of the Board of Directors of 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: Gary P. Talmier
By: Gary P. Talmier
Its: Vice President

Subscribed and sworn to before me this 1st day of March, 1991.

My Commission Expires:

**SOUTH DAKOTA
WATER PERMIT No. 5542-3 FOR IRRIGATION**

Date of first receipt of application March 4, 1991.

Date Soil/Water Compatibility Permit received April 22, 1991.

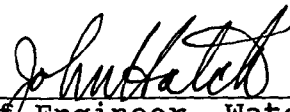
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5542-3 to Minnehaha Country Club, PO Box 1030, Sioux Falls SD 57101-1030 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5542-3 authorizes the irrigation of an additional 3.5 acres and changes the location of 4 acres currently being irrigated. Water Right No. 346-3 and Water Permit No. 4316-3, combined, appropriate 1.8 cubic feet of water per second from 2 wells (Big Sioux:South Aquifer) located in the NW 1/4 NW 1/4 and the SW 1/4 NW 1/4 Section 30 to irrigate 125 acres located in the NW 1/4 Section 30 and the SW 1/4 Section 19; all in T101N-R49W. This permit is for irrigation of an additional 3.5 acres and to change the location of 4 irrigated acres to the NW 1/4 and the SW 1/4 Section 30-T101N-R49W. This permit does not authorize any increase in the diversion rate.
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: May 1 - October 31.
3. The date from which applicant may claim right is March 4, 1991.
4. The date of approval of Permit No. 5542-3 is July 24, 1991.
5. One-fifth of the construction is to be completed on or before January 24, 1994.
6. All construction is to be completed on or before July 24, 1996.
7. Water is to be put to beneficial use on or before July 24, 2000.
8. 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 Permit No. 5542-3 does not authorize an increase in the 1.8 cfs authorized by Water Right/Permit Nos. 346-2 and 4316-3.

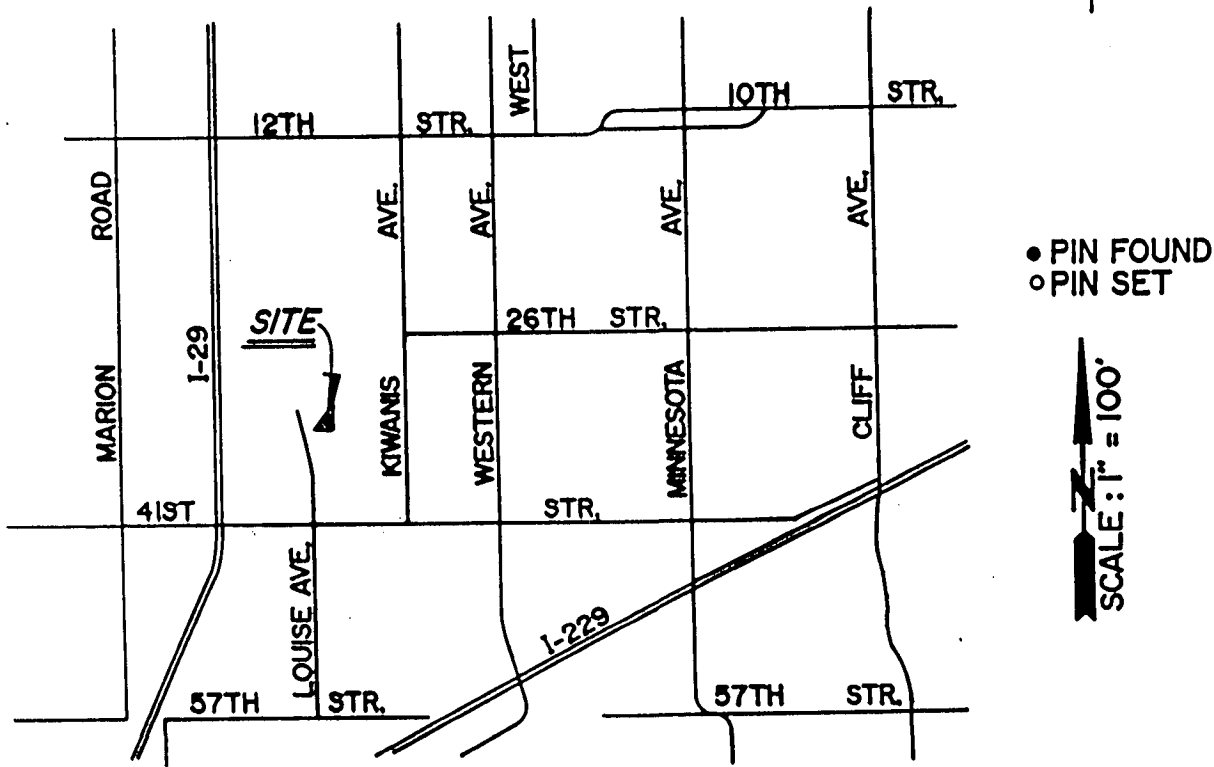
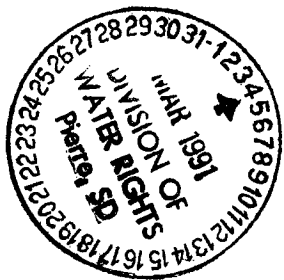
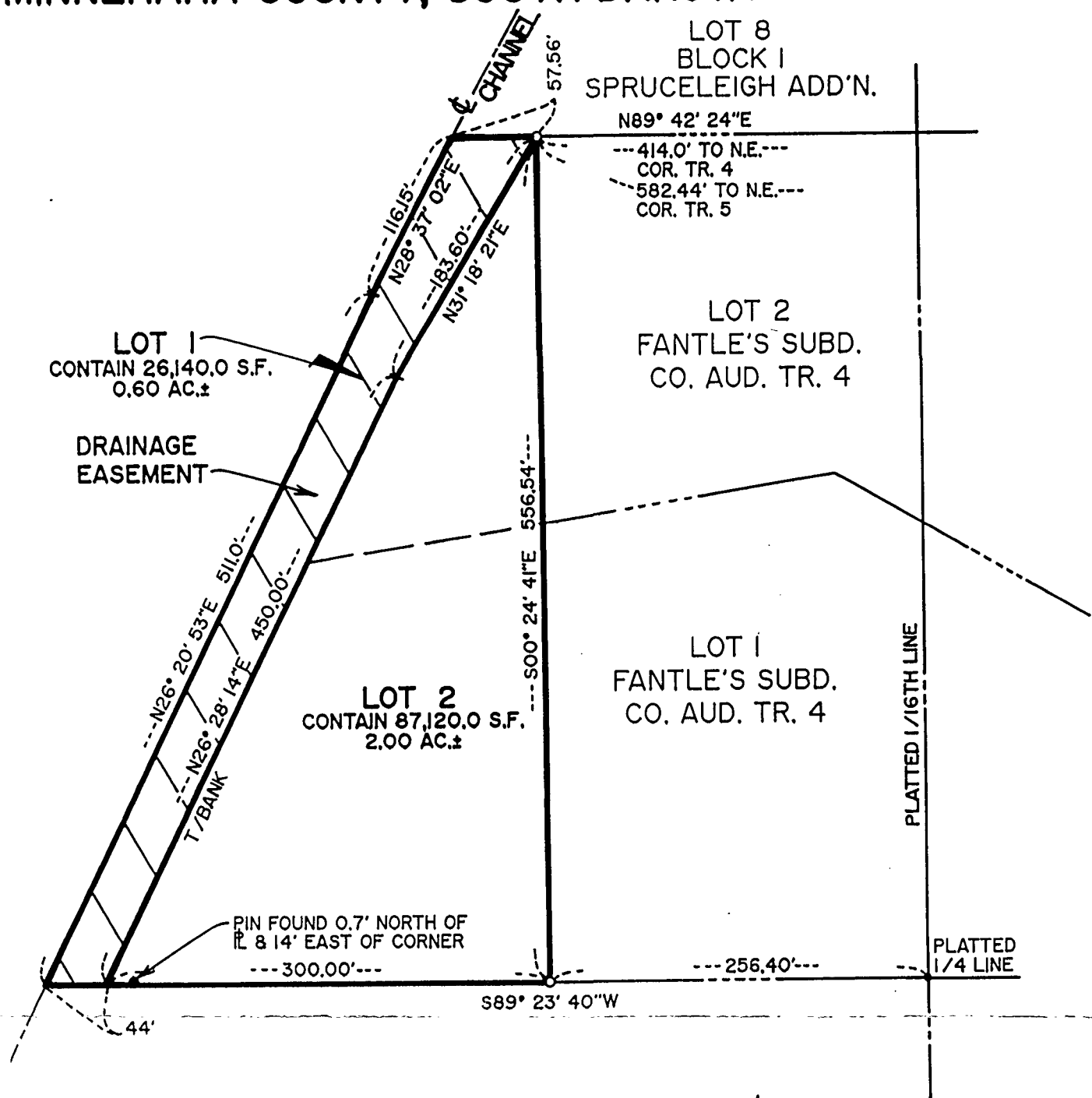
WATER MANAGEMENT BOARD

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

JUL 29 1991

date

LOTS 1 AND 2, MARGULIES' ADDITION TO THE CITY OF SIOUX FALLS,
MINNEHAHA COUNTY, SOUTH DAKOTA



I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR
UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR
UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA.

EUGENE F. MAURICE
REG. NO. 4478

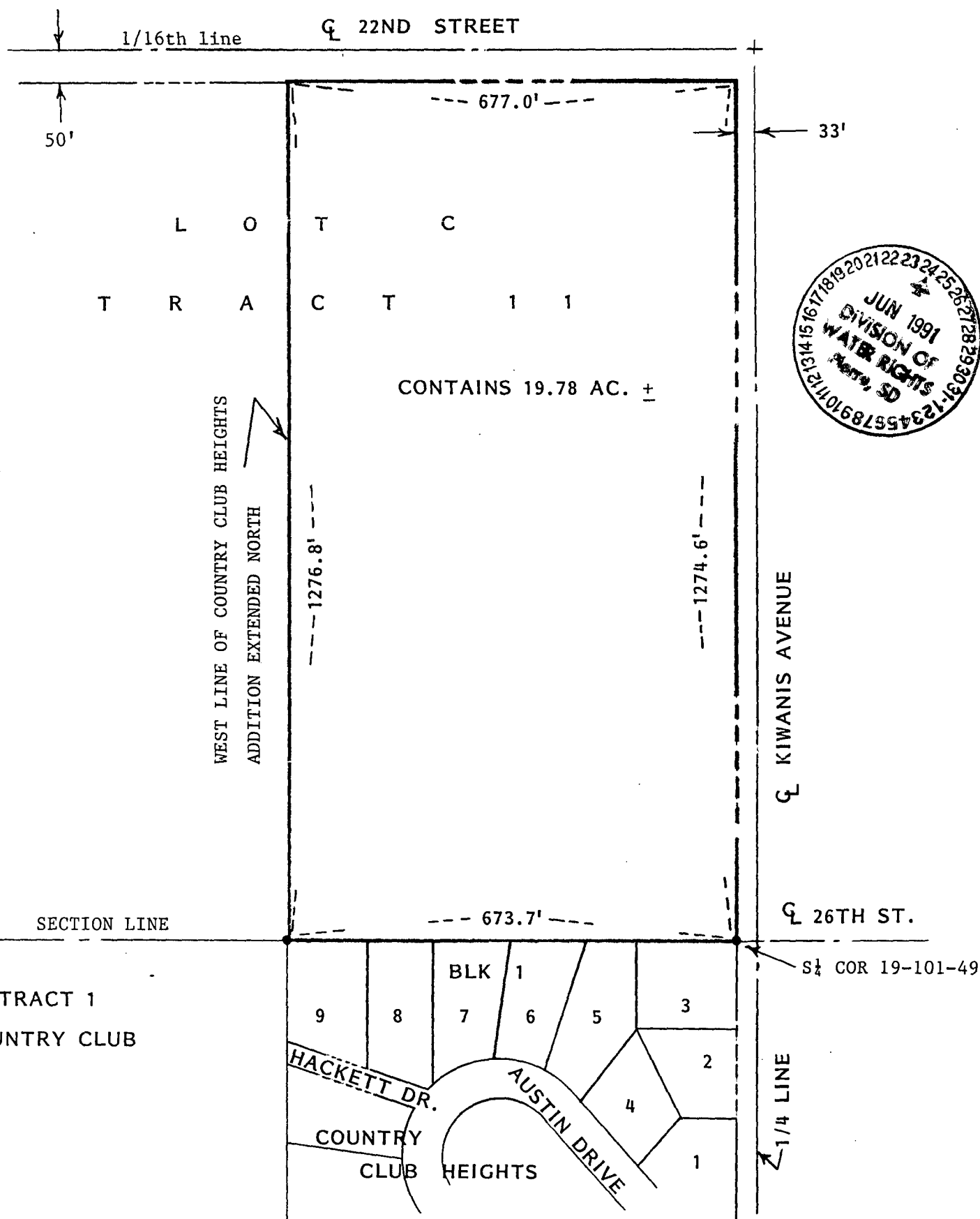


OBJECT NUMBER: 11084

DATE: June 20, 1991

PREPARED FOR: Minnehaha Country Club

DESCRIPTION: Portion of Lot C of County Auditor's Subdivision of Tract 11 in the SW $\frac{1}{4}$ of Section 19-T101N-R49W of the 5th P.M., Minnehaha County, South Dakota.

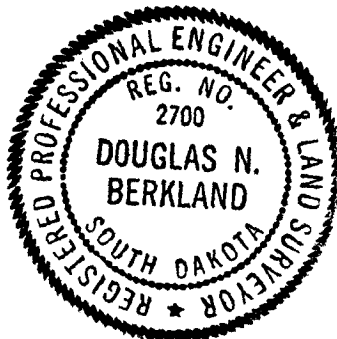


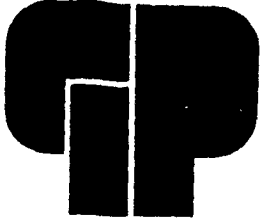
PIN FOUND ● I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS
PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT
PIN SET ○ I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF
THE STATE OF SOUTH DAKOTA.

Scale: 1" = 200'

200
Douglas L. Kandel
REGISTERED LAND SURVEYOR

PREPARED BY: R.F. SAYRE & ASSOCIATES
CONSULTING ENGINEERS
SIOUX FALLS, SOUTH DAKOTA





August 16, 1990



**GREAT PLAINS
ENGINEERING
LABORATORY**

Robert C Foster PE
president

Minnehaha Country Club
c/o Davenport, Evans, Hurwitz and Smith
P.O. Box 1030
Sioux Falls, South Dakota 57101-1030

Attn: P. Dan Donohue

Subject: PROPOSED ADDITION
MINNEHAHA COUNTRY CLUB
SIOUX FALLS, SOUTH DAKOTA

In accordance with our agreement, a subsurface soil exploration was conducted for the subject project. The results of that exploration are contained in the attached report.

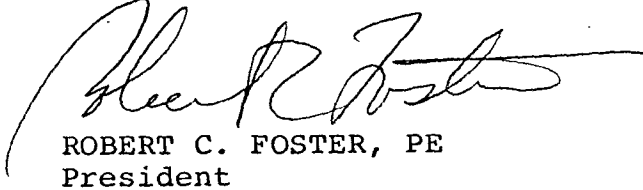
Soil samples obtained in connection with our exploration will be discarded 30 days after the date of this letter unless you have taken one of the following actions: first, if you have notified us to provide our Phase 3 and 4 services we will hold the samples throughout the time such samples may serve as useful reference during study, design and construction of the project; second, if you have requested the samples to be shipped or stored for a specified time we will do so for an agreed shipping or storage fee. Our staff will be available for consultation should there be any questions concerning the design or construction of the project or should there be any questions concerning the contents of the report.

The report and supporting documents are instruments of service in respect of the project and a property interest therein is retained by us. They are not intended or represented to be suitable for reuse by you or others on extensions of the project or on any other project. Any reuse without our written verification or adaptation for the specific purpose intended will be at the user's sole risk and without liability or legal exposure to us. Any such verifications or adaptation will entitle us to further

Minnehaha Country Club
August 16, 1990
Page 2

compensation at rates to be mutually agreed upon by us and the user.

GREAT PLAINS ENGINEERING LABORATORY



ROBERT C. FOSTER, PE
President

RCF:ec
Enclosures: (4) Report 4237



TABLE OF CONTENTS

INTRODUCTION

Purpose
Scope of Exploration
Site Location
Nomenclature

PROCEDURES

Field
Laboratory

RESULTS

General
Field
Laboratory

OPINION

REMARKS

SUPPORTING DOCUMENT APPENDIXES

Boring Logs
Classification of Soils for Engineering Purposes ASTM D2487-85
Nomenclature and Symbols
Soil Boring Locations



REPORT OF
SUBSURFACE SOIL EXPLORATION
FOR 90200
PROPOSED ADDITION
MINNEHAHA COUNTRY CLUB
SIOUX FALLS, SOUTH DAKOTA
REPORT 4237

INTRODUCTION

Purpose

The purpose of the exploration and this report is limited to furnishing factual data about the subsurface soil and water conditions observed in the borings at the time they were made, and the results of any laboratory tests. Except for estimated soil settlements, no engineering analyses, interpretations, opinions, advice, conclusions or recommendations about the findings are given or intended nor were any requested and any made by others are done at their own sole risk without responsibility or liability to us.

Scope of Exploration

Subsurface soil drilling and sampling were accomplished at three borings, the number, type, depths and locations of which were directed by the design professionals. In the laboratory the soils were classified and logged and tests were conducted; the results of the field data, laboratory data, and our opinions based upon that data are contained in this report.

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67104-0822



Site Location

The exploration was conducted on a site described as the Giebink property near the south extremity of the existing Minnehaha Country Club adjacent to the east dike of the Big Sioux River Channel in the southwest portion of Sioux Falls, South Dakota.

Nomenclature and Symbols

As much as possible, the symbols and terminology used throughout this report are taken from ASTM D653 "Standard Definition of Terms and Symbols Relating to Soil and Rock Mechanics". Attached are two pages, "Classification of Soils for Engineering Purposes ASTM D2487-85", showing charts, group symbols and group names for classifying and describing soils. Also attached to this report are two pages of "Nomenclature and Symbols" showing commonly used standard terminology, graphs and criteria for classifying and describing soils as well as special symbols and terminology developed for use in our reports.

PROCEDURES

Field

On August 6, 1990, three soil borings were put down at locations selected by Leggette, Brashears and Graham, Inc. as shown on the attached sketch. Ground surface elevations at the boring locations were determined using a paint mark on top of the

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concrete well casing, where indicated on the attached sketch, as a bench mark. The elevation of this bench mark was taken as 100.0 feet, an assumed elevation.

Subsurface drilling and sampling were accomplished by standard techniques. Between sampling locations, the soil borings were advanced by means of a 6" diameter continuous flight auger or 3 1/4" I.D. hollow-stem auger, the specific method being shown on the boring logs. Samples of the soils were obtained in accordance with ASTM D1586, "Standard Method for Penetration Test and Split-Barrel Sampling of Soils". This sampling procedure involves the driving of a 2 inch outside diameter split-barrel sampler to obtain representative samples of soil for identification purposes and laboratory tests, and to obtain a measure of the resistance of the soil to penetration of the sampler. The split-barrel sampler is driven into the soil by a 140 pound hammer falling 30 inches each blow. The first 6 inches of penetration of the sampler is considered to be a seating drive. The sum of the blows required for the second and third 6 inches of penetration is termed the penetration resistance, N. If the sampler is driven less than 18 inches, the penetration resistance is that for the last 1 foot of penetration. If less than 1 foot is penetrated, the log states the number of blows and the fraction of 1 foot penetrated. The N value is an approximate indication of the consistency of cohesive soils and the relative

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density of cohesionless soils. When appropriate, thin wall tube samples were obtained in accordance with ASTM D1587.

At the time of drilling and sampling, the soils were visually and manually classified in the field by the crew chief in accordance with ASTM D2488. Representative samples of the soils were returned to the laboratory for verification of the field classification and for appropriate laboratory testing. Measurements of water levels in the borings were also taken when possible. If measurements could not be made, estimates of the probable water levels based upon the appearance of the soil samples were made if possible.

Laboratory

The soil samples were further examined in the laboratory to verify the soil classification in accordance with ASTM D2487. At a moisture content near optimum, the samples were also compared with the Munsell Soil Color Chart to provide color identification. In addition, selected samples from the field borings were submitted to a program of laboratory testing.

RESULTS

General

Geologically the site is located in the major physiographic division known as the Coteau Des Prairies of the Central Lowlands. The borings were put down near the edge of the former

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flood plain of the Big Sioux River. Elevations at the surfaces of the borings varied only from 93.8 feet to 94.4 feet but the area rises quite steeply to the east.

Field

Dark colored topsoil indicated on the boring logs by the group symbol CL/OL was encountered at the surface of the borings for depths varying from 1.5 feet to 2 feet. Glaciofluvial (outwash) deposits were encountered beneath the topsoil to depths of 10.5 feet, 11 feet and 11 feet in Borings 1, 2 and 3, respectively. Below those depths the deposits consisted of glacial till. The outwash consisted of fine-grained and coarse-grained deposits, the consistency of the fine-grained soils varying from soft to medium stiff when rated by the N values and the density of the coarse-grained soils was medium dense when rated by the N values. A hard fine-grained outwash strata was encountered at the bottom of Boring 2 below 20 feet.

Logs of the borings are attached showing the observed thicknesses and descriptions of the various soil strata encountered; the lines shown on the boring logs to delineate the soil strata represent the approximate boundary between soil types and the actual transition between soil strata may be gradual. The boring logs also contain the observed subsurface water level readings which were taken for only a short period of time;

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observations repeated regularly and frequently for a prolonged period of time after completion of our field drilling and sampling, perhaps years, may be necessary to obtain reliable water data.

Subsurface water was observed in three borings at the time they were made at a relatively uniform and reliable elevation varying only from 87.5 feet to 88 feet.

Laboratory

The results of the laboratory tests are shown on the boring logs.

OPINION

Estimated settlement of the existing soils due to the weight of additional fill or structural loads placed on them would, of course, depend partly upon the magnitude of the loads. These expected loads were not furnished to us but assuming loads would consist of fill soils no greater than approximately 10 feet in depth, it is our opinion based upon the field and laboratory findings that consolidation or settlement of the existing soils would not exceed a couple of inches.

REMARKS

Responsibility for any design or construction work or for our opinions and interpretations, either oral or written, cannot be

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accepted unless our services also include plan and specification review and construction monitoring to determine whether or not the work performed is in substantial compliance with our opinions and interpretations, and whether changed soil conditions have occurred.

The contents of this report and supporting documents are for the exclusive use of the addressee. In the absence of our prior written approval we make no representation and assume no responsibility to any other parties regarding such content. Any recommendations or suggestions made or opinions expressed, either oral or written, are based on data from samples which are assumed to be representative of the area or material from which they were obtained; however, because the size of the samples is small in comparison to the entire area or quantity sampled, and for other reasons, no warranty is made that the samples are necessarily typical of the entire area or quantity sampled.



Robert C Foster PE
president

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DEPTH IN FEET	CLASSIFICATION OF SOIL ASTM D2487		SAMPLE			LABORATORY TESTS					
	DESCRIPTION	GROUP	NO.	TYPE	N	WL	W	D	LL/PL	OR	OTHER
0	LEAN CLAY: 1-10% sand, 90-99% slightly organic fines, medium plasticity, very dark grayish brown, moist, soft	(CL/OL)	1	SB	4						
2	LEAN CLAY: 1-10% sand, 90-99% fines, medium plasticity, dark gray, moist to about 6.5' then wet, soft, seam of sand around 5.5'	(CL)	2	SB	4						
			3	SB	3		30	89			
6.5	POORLY GRADED SAND WITH GRAVEL: 15-25% gravel, 75-85% mostly coarse and medium sand, 1-5% fines, dark gray, wet, medium dense	(SP)	4	SB	10						
10.5	SANDY LEAN TO FAT CLAY: 1-5% gravel, 35-45% mostly fine sand, 55-65% fines, medium to high plasticity, olive brown and gray to olive brown, wet, stiff to very stiff to hard	(CL/CH)	5	SB	9						
			6	SB	19						
			7	SB	33						
16.5	END OF BORING										

WATER LEVEL READINGS							START 8-6-90	GREAT PLAINS ENGINEERING LABORATORY 3712 N 10th Ave Sioux Falls S Dak 57104-0832 Ph (605) 338-4994	
DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	BAILED TO	WATER LEVEL	COMPLETE 8-6-90 1225		
							METHOD 0-15' HS		
8-6	1225	16.5	None	7.0	---	6.5			
8-6	1350	16.5	None	7.0	---	6.5			
							CREW CHIEF DM		
							BORING NUMBER 1		



DEPTH IN FEET	CLASSIFICATION OF SOIL ASTM D2487		SAMPLE				LABORATORY TESTS					
	DESCRIPTION	GROUP	NO.	TYPE	N	WL	W	D	LL/PL	O _r	OTHER	
0	LEAN CLAY: 1-10% sand, 90-99% slightly organic fines, medium plasticity, very dark grayish brown, moist, soft	(CL/OL)	1	SB	4							
2	LEAN TO FAT CLAY: 1-10% sand, 90-99% fines, medium to high plasticity, very dark gray, moist to about 5.8' then wet, soft to medium stiff	(CL/CH)	2	SB	4							
			3	SB	5		32	82				
			4	SB	8							
7.5	POORLY GRADED SAND WITH GRAVEL: 15-25% gravel, 75-85% mostly coarse and medium sand, 1-5% fines, dark gray, wet, medium dense	(SP)	5	SB	9							
11	SANDY LEAN TO FAT CLAY: 1-5% gravel, 40-50% mostly fine sand, 50-60% fines, medium to high plasticity, olive brown, wet, medium stiff to very stiff	(CL/CH)	6	SB	11							
			7	SB	10/50/0.4'							
			8	SB	26							
20	ELASTIC SILT: 1-10% sand, 90-99% fines, high plasticity, grayish brown, wet, hard	(MH)	9	SB	33							
21.5	END OF BORING											
	* N value may be influenced by coarse gravel, cobble or boulder											

* N value may be influenced by coarse gravel, cobble or boulder

WATER LEVEL READINGS							START	GREAT PLAINS ENGINEERING LABORATORY	
DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	BAILED TO	WATER LEVEL	COMPLETE		
8-6	1015	21.5	None	19.5	---	6.0	8-6-90 1015		
8-6	1340	21.5	None	13.7	---	5.8	0-20' HS		
							CREW CHIEF DM	3712 N 10th Ave Sioux Falls S Dak 57104-0832 Ph (605) 338-4994	
							BORING NUMBER 2		



DEPTH- IN FEET	CLASSIFICATION OF SOIL ASTM D2487		SAMPLE				LABORATORY TESTS					
	DESCRIPTION	GROUP	NO.	TYPE	N	WL	W	D	LL/PL	O _R	OTHER	
0	LEAN CLAY: 1-10% sand, 90-99% slightly organic fines, medium plasticity, very dark grayish brown, moist, medium stiff	(CL/OL)	1	SB	5							
1.5	LEAN CLAY: 1-10% sand, 90-99% fines, medium plasticity, dark grayish brown, moist to about 6.5' then wet, medium stiff to soft to medium stiff, occasional seam of sand, 4" layer of sand around 6.5'	(CL)	2	SB	6							
			3	SB	4		29	89				
			4	SB	5							
7.5	POORLY GRADED SAND WITH GRAVEL: 15-25% gravel, 75-85% mostly coarse and medium sand, 1-5% fines, dark gray, wet, medium dense	(SP)	5	SB	10							
			6	SB	14							
11	SANDY LEAN TO FAT CLAY: 1-5% gravel, 35-45% mostly fine sand, 55-65% fines, medium to high plasticity, olive brown to grayish brown, wet, very stiff	(CL/CH)	7	SB	18							
			8	SB	28							
16.5	END OF BORING											

WATER LEVEL READINGS							START	GREAT PLAINS ENGINEERING LABORATORY	
DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	BAILED TO	WATER LEVEL	COMPLETE		
							METHOD		
8-6	1115	16.5	None	8.0	---	6.8	8-6-90 1115	3712 N 10th Ave Sioux Falls S Dak 57104-0832 Ph (605) 338-4994	
8-6	1335	16.5	None	8.0	---	6.5	0-15' HS		
							CREW CHIEF DM		
							BORING NUMBER 3		



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412566

Pierre, March 5, 19 91

RECEIVED OF P. Daniel Donohoe (Minnehaha Country Club) P.O. Box 1030, Sioux Falls

57101-1030

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

Fee for Application for Permit No. <u>5542-3</u> to Appropriate Water, to construct works and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	150 00

By

John Hatch
Chief Engineer

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation



Office Use Only

4596

WR#

OWNERS NAME: MINNEHAHA COUNTRY CLUB

OWNERS ADDRESS: PO BOX 1030

SIOUX FALLS, SD 57101-1030

COUNTY LAND LOCATED IN: MINNEHAHA PHONE: 336-2880

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION NW 1/4 30-T101N-R49W

Depth

Legal Description	Acres	Legal Description	Acres
Part of NW 1/4 30-T101N-R49W =	5		
Part of SW 1/4 30-T101N-R49W =	7.0		

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

3. CROPS TO BE IRRIGATED: PATHWAYS & GREENS

WATER QUALITY:

4. WATER SAMPLE NUMBER: 91-0126

7. ADJUSTED (SAR): 1.70

5. SALINITY (EC X 10⁶): 950

8. PERCENT SODIUM: 12.91

6. SODIUM (SAR): 0.66

Requirements:

Many of the soils of the area are mapped in an eroded phase and slopes may be in excess of 9% slope. The areas with slopes greater than 9% shall not be irrigated unless land management practices, which eliminate the erosion hazards are used.


Director, Division of Conservation

APRIL 18, 1991
Date

XXX APPROVED
DISAPPROVED
WAIVER

XXX REQUIREMENTS

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

DAVENPORT, EVANS, HURWITZ & SMITH

LAWYERS

513 SOUTH MAIN AVENUE

P. O. Box 1030

SIOUX FALLS, SOUTH DAKOTA 57101-1030

605-336-2880

HOLTON DAVENPORT
1892-1966

MICHAEL F. PIELOW
1945-1987

OF COUNSEL
ELLSWORTH E. EVANS
LYLE J. WIRT

LOUIS R. HURWITZ
DEMING SMITH
LAWRENCE L. PERSOL
RICHARD A. CUTLER
P. DANIEL DONOHUE
DAVID L. KNUDSON
EDWIN E. EVANS
ROBERT E. HAYES
MICHAEL L. LUCE
CHARLES D. GULLICKSON
SARAH RICHARDSON LARSON
MICHAEL J. SCHAFER
MONTE R. WALZ
THOMAS M. FRANKMAN
RICK W. ORR
EDWARD J. LEAHY
TIMOTHY M. GEBHART
JONATHAN P. BROWN
SUSAN JANS BRUNICK
DOUGLAS E. HOFFMAN
CATHERINE A. TANCK
ROBERTO A. LANGE
MICHAEL A. HAUCK
MARIE E. HOVLAND

March 1, 1991



TELECOPIER
605-335-3639

Mr. Eric Gronlund
Natural Resources Engineer
Department of Water & Natural Resources
Division of Water Rights
523 East Capitol
Pierre, SD 57501

RE: Minnehaha Country Club

Dear Eric:

I enclose the following items with this letter:

1. Duplicate originals of an Application for Permit to Appropriate Water on behalf of Minnehaha Country Club.
2. Copies of the plats of the property where the new golf holes and the additional golf green will be constructed.
3. Two area or vicinity maps which identify the parcel of property which is involved.
4. Copies of the soil test report prepared by Great Plains Engineering.
5. Copies of the existing Water Permits.

I believe that the Application fairly accurately identifies the change of acreage on the existing Permits and the addition of approximately 7 1/2 acres. The plats have been signed by a registered engineer. The soil test report identifies the type of soils in the area where the applicant would intend to extend its irrigation system.

I mentioned during our recent telephone conversation that the applicant would be removing two golf holes. This

Mr. Eric Gronlund
March 1, 1991
Page 2

area includes approximately 10 acres which is currently irrigated. However, a new driving range will be constructed in this area and will comprise approximately 6 acres of land. The net loss of irrigated land in this area will amount to 4 acres.

The elimination of 4 irrigated acres coupled with the addition of 7 1/2 acres will actually result in the addition of a total net area comprising approximately 3 1/2 acres.

The form really didn't fit the applicant's situation very well. We tried to complete it as best as we could. A check in the amount of \$150.00 is also enclosed to cover your filing fee. Please give me a call after you have received the Application to let me know if you feel anything additional is required or necessary.

Very truly yours,



P. DANIEL DONOHUE
For the Firm

PDD:ref

Enclosures

cc: Calvin E. Willemssen
Terry Crouch
Steve Harrer

Conversation or File Documentation

NAME OF PERSON OR FILE: Minnehaha Country Club

ADDRESS: _____ COUNTY _____

DATE: 4/25/91 TELEPHONE _____RE: Conversation w/ Dan Donahue

COMMENTS:

Mr. Donahue returned my phone call. I questioned the total number of acres currently irrigated under WR No. 346-3 (55 acres) and WP No. 4316-3 (70 acres). His application stated 131 acres currently being irrigated. Mr. Donahue stated this was an error in that he thought WP No. 4316-3 was authorized for 76 acres. He authorized me to amend the application to 125 acres currently irrigated.

Mr. Donahue also stated that he would like to have a permit secured by mid-June. I stated the current work load on groundwater permits and stated we ~~cannot~~^{try to} process permits as soon as possible but that I could not make any guarantees. He understood.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Nordlund

REPORT ON APPLICATION NO. 5542-3
for Minnehaha Country Club
June 14, 1991

This application proposes to irrigate an additional 3.5 acres and to change the location of 4 acres currently being irrigated. Water Right No. 346-3 and Water Permit No. 4316-3 combined authorize 1.8 cfs from 2 wells approximately 41 and 52 feet deep located in the NW 1/4 NW 1/4 and the SW 1/4 NW 1/4 of section 30, to irrigate 125 acres located in portions of the NW 1/4 of section 30; SW 1/4 of section 19; all in T101N R49W in Minnehaha County. This application is for irrigation of an additional 3.5 acres and to change the location of 4 irrigated acres located in the SW 1/4 Section 19 and the NW 1/4 Section 30, all in T101N R49W. This application if approved does not authorize any increase in the diversion rate.

AQUIFER - BIG SIOUX SOUTH (BS-S)

The Big Sioux South is an alluvium mantled outwash (sand and gravel) under water table conditions in this area. The aquifer underlies 17,200 acres and contains an estimated 20,640 acre feet of recoverable water in Minnehaha County (Hedges, 1982). The aquifer is hydraulically connected to the Big Sioux Southern Skunk Creek aquifer to the west, the Big Sioux River and possibly the Big Sioux Sioux Falls aquifer to the north. The Division of Water Rights monitors an observation well MA-57I which is completed into the Big Sioux Southern Skunk Creek aquifer, but is less than 1 mile west of this application. Water levels for this well show good response to climatic conditions, that is, rising during wet years and gradually declining during dry years. The record indicates the aquifer is capable of sustaining additional withdrawals (Water Rights, 1991).

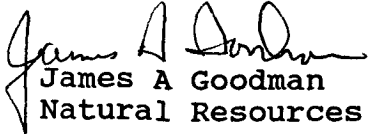
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The only other diversions from the Big Sioux South aquifer are for the Westward Ho Country Club. The wells for Westward Ho are more than 1/2 mile from the wells from Minnehaha Country Club. These are all existing wells and have been in use for many years with no apparent problem. Interference is not expected to be a problem.

CONCLUSIONS

1. Water is available from the Big Sioux South aquifer.
2. The aquifer is under water table conditions and interference is not expected to be a problem.
3. This application will add 7.5 acres of new irrigated lands of which 4 acres can be transferred from presently existing lands because these will be abandoned. This request is a change of location for 4 acres plus an additional 3.5 acres.

4. No increase in diversion rate is authorized by this application.


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 DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1991, Observation Well Records for Minnehaha County, SD DENR, Div. of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5542-3, Minnehaha Country Club

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5542-3, Minnehaha Country Club, PO Box 1030, Sioux Falls, SD 57101-1030.

The Chief Engineer is recommending APPROVAL of Application No. 5542-3 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 Permit No. 5542-3 does not authorize an increase in the 1.8 cfs authorized by Water Right/Permit Nos. 346-3 and 4316-3.

See report on application for additional information.



JOHN HATCH, Chief Engineer
June 14, 1991

DAVENPORT, EVANS, HURWITZ & SMITH

LAWYERS

513 SOUTH MAIN AVENUE

P. O. Box 1030

SIOUX FALLS, SOUTH DAKOTA 57101-1030

605-336-2880

DEMING SMITH
LAWRENCE L. PIERSON
RICHARD A. CUTLER
P. DANIEL DONOHUE
DAVID L. KNUDSON
EDWIN E. EVANS
ROBERT E. HAYES
MICHAEL L. LUCE
CHARLES D. GULLICKSON
SARAH RICHARDSON LARSON
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CATHERINE A. TANCK
ROBERTO A. LANGE
MICHAEL A. HAUCK
MARIE E. HOVLAND

HOLTON DAVENPORT
1892-1966

MICHAEL F. PIEFLOW
1945-1987

OF COUNSEL
ELLSWORTH E. EVANS
LOUIS R. HURWITZ
LYLE J. WIRT

June 20, 1991



TELECOPIER
605-335-3639

Mr. Eric Gronlund
Natural Resources Engineer
Division of Water Rights
Joe Foss Building
523 East Capitol
Pierre, SD 57501

Dear Eric:

As you requested I am enclosing a survey prepared by Douglas N. Berkland. This survey includes the boundaries of the Minnehaha Country Club property where the reduction in irrigated acres will occur if the Application on file in your office is approved.

Let me know if you need anything further to complete Minnehaha Country Club's file.

Very truly yours,

P. DANIEL DONOHUE
For the Firm

PDD:ref

Enclosure

Conversation or File Documentation

NAME OF PERSON OR FILE: Minnehaha Country Club Application No. 5542-3

ADDRESS: _____ COUNTY _____

DATE: 5/21/91 TELEPHONE 336-2880RE: Dan Donahue

COMMENTS:

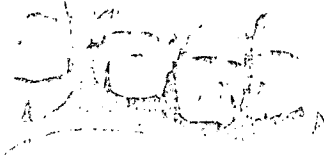
Called Mr. Donahue regarding the map he faxed. This map shows the area ~~of~~ that is no longer to be irrigated. The file ~~now shows the new~~ contains maps that show the new area to be and the acres that is no longer to be irrigated.

Note: The irrigation to take place is on the fairway and green of a golf course. The maps do not show the exact lay out of additional holes but shows the ~~black~~ parcel which the acreage to be irrigated will be located

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Irons

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 24, 1991

Mary Kennedy
6613 N. Cliff Ave.
Sioux Falls, SD 57104

Dear Mrs. Kennedy:

Enclosed, for your information, is a copy of the notice of hearing for a water permit application in the Sioux Falls area. This application was filed by the Minnehaha Country Club to add an additional 3.5 acres and to change the location of 4 irrigated acres.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Eric Gronlund
Water Rights Division
605 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 24, 1991

Dean and Sandy Sorum
RR 1, Box 785
Renner, SD 57055

Dear Mr. & Mrs. Sorum:

Enclosed, for your information, is a copy of the notice of hearing for a water permit application in the Sioux Falls area. This application was filed by the Minnehaha Country Club to add an additional 3.5 acres and to change the location of 4 irrigated acres.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, which appears to read "Eric Gronlund".

Eric Gronlund
Water Rights Division
605 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 24, 1991

Denny Christensen
RR 1, Box 877
Renner, SD 57055

Dear Mr. Christensen:

Enclosed, for your information, is a copy of the notice of hearing for a water permit application in the Sioux Falls area. This application was filed by the Minnehaha Country Club to add an additional 3.5 acres and to change the location of 4 irrigated acres.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Eric Gronlund
Water Rights Division
605 773-3352



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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

June 24, 1991

Minnehaha Country Club
c/o Dan Donohue
PO Box 1030
Sioux Falls, SD 57101-1030

Dear Mr. Donohue:

Water Permit Application No. 5542-3 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 Argus Leader printed at Sioux Falls, SD. For your information, a copy of the notice is 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

June 24, 1991

Argus Leader
PO Box 5034
Sioux Falls, SD 57117-5034

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5542-3 to be published twice. Please publish the first notice on June 26, 1991, 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 Minnehaha Country Club, c/o Dan Donohue, PO Box 1030, Sioux Falls, SD 57101-1030.

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. No action may be taken on the permit application 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 June 26, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5542-3 to Appropriate Water

Notice is given that Minnehaha Country Club, c/o Dan Donohue, PO Box 1030, Sioux Falls SD 57101-1030 has filed an application for a water permit to irrigate an additional 3.5 acres and to change the location of 4 acres currently being irrigated. Water Right No. 346-3 and Water Permit No. 4316-3, combined, authorize 1.8 cubic feet of water per second from 2 wells (Big Sioux:South Aquifer) located in the NW 1/4 NW 1/4 and the SW 1/4 NW 1/4 Section 30-T101N-R49W to irrigate 125 acres located in portions of the NW 1/4 Section 30; SW 1/4 Section 19; all in T101N-R49W. This application is for irrigation of an additional 3.5 acres and to change the location of 4 irrigated acres located in the NW 1/4 and the SW 1/4 Section 30-T101N-R49W. This application, if approved, does not authorize any increase in the diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5542-3 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

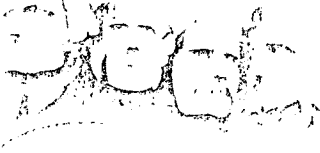
Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 15, 1991. 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 the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5542-3 and 2) the chief engineer's recommendation, a Board meeting is scheduled for July 24, 1991, at 10:00 am in Kneip Room, Governors Inn, 700 West Sioux Avenue, Pierre SD. If this application is opposed or the recommendation is contested, the July 24, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 24, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 15, 1991.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

South Dakota



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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 28, 1991

Dan Donohue
Minnehaha Country Club
PO Box 1030
Sioux Falls, SD 57101-1030

Dear Mr. Donohue:

Enclosed please find a copy of the report and recommendation on
Application No. 5542-3.

If you have any questions, please feel free to contact his office.

Sincerely,

Jaci R Konop

Jaci R. Konop
Senior Secretary
(605) 773-3352

Enclosure

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, }
COUNTY OF MINNEHAHA } SS.

..... M. Devish being duly sworn, says: That the Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota, by Sioux Falls Newspapers, Inc.; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

Wednesday, the 26th day of June, 1991,

Wednesday, the 3rd day of July, 1991,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

and that 110.67 was charged for publishing the same including a \$2.00 affidavit fee.

M. Devish

Subscribed and sworn to before me July 3rd, 1991.

Nancy A. Buckley
Notary Public, South Dakota

NOTICE OF HEARING on
Application No. 5542-3 to
Appropriate Water

Notice is given that Minnehaha Country Club, c/o Dan Donohue, PO Box 1030, Sioux Falls, SD 57101-1030 has filed an application for a water permit to irrigate an additional 3.5 acres and to change the location of 4 acres currently being irrigated. Water Right No. 346-3 and Water Permit No. 4316-3, combined, authorize 1.8 cubic feet of water per second from 2 wells (Big Sioux: South Aquifer) located in the NW 1/4 NW 1/4 and the SW 1/4 NW 1/4 Section 30-T101N-R49W to irrigate 125 acres located in portions of the NW 1/4 Section 30, SW 1/4 Section 19; all in T101N-R49W. This application is for irrigation of an additional 3.5 acres and to change the location of 4 irrigated acres located in the NW 1/4 and the SW 1/4 Section 30-T101N-R49W. This application, if approved, does not authorize any increase in the diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5542-3 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

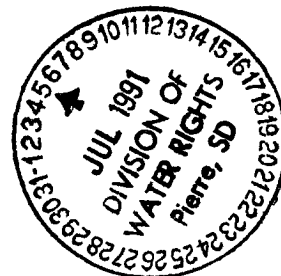
Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 15, 1991. 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 the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5542-3 and 2) the chief engineer's recommendation, a Board meeting is scheduled for July 24, 1991, at 10:00 am in Kneip Room, Governors Inn, 700 West Sioux Avenue, Pierre SD. If this application is opposed or the recommendation is contested, the July 24, 1991, hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 24, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 15, 1991.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

2769 June 26; July 3, 1991





JUL 29 1991

GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dan Donohue
Minnehaha Country Club
PO Box 1030
Sioux Falls, SD 57101-1030

Dear Mr. Donohue:

Enclosed is Water Permit No. 5542-3 authorizing construction of 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.



**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date February 15, 1994

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

FROM: Minnehaha Country Club, 3101 W 22nd St, Sioux Falls SD 57105
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. 5542-3.

Water Permit No. 5542-3 states that the diversion system is to be constructed by 7/24/96, and that the water it put to beneficial use by 7/24/2000.

The diversion system was completed on 8/1/91.
Applying the water to beneficial use was completed on 8/1/91.

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

signature

Permit No. 5542-3
Big Sioux River - Water District

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

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

I have this day, September 11, 1997 made a thorough examination of the water use system constructed by Minnehaha Country Club of 3101 W. 22nd St., Sioux Falls SD 57106 holder of Permit No. 5542-3, bearing the priority of March 4, 1991 to irrigate 3.5 additional acres and License Nos. 346-3 (priority April 10, 1959) and 4316-3 (priority August 22, 1978) authorizing the diversion of 1.8 cu. ft. per second of the waters of Big Sioux: South Aquifer for irrigation purposes, in Minnehaha County.

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

A. Works used to divert the water:

Two wells - Well No. 1 is 74 feet deep with 32 feet of 20 inch steel casing and 18 feet of stainless steel screen. Well No. 2 is 32 feet deep with 16 feet of 16 inch steel casing and 10 feet of stainless steel screen. Both wells have Jacuzzi pumps model no. 6 BIT-624, 345 gpm capacity and U.S. Electric motors model no. 324THP rated at 40 hp.

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

5' of 6" cast iron, 400' of 1" PVC, 1700' of 1½" PVC, 1300' of 2" PVC, 1000' of 2½" PVC, 9800' of 3" PVC, 1050' of 4" PVC, and 5350' of 6" PVC.

C. Works used to apply water to beneficial use:

Permanent irrigation system for golf course - 689 Rain Bird model no. 41 and 51 sprinklers for irrigating greens, fairways, and tees.

The system is in the following condition good. The point of diversion is located well no. 1 is 1020' S and 110' E well no. 2 is 2363' S and 668' E of the NW corner Section 30, T101N, R49W. The works are capable of diverting and conveying to the place of use 1.533 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

Section 19, T101N, R49W:

SW¼ SW¼ 7 acres
SE¼ SW¼ 21 acres

Section 30, T101N, R49W:

NE¼ NW¼ 19 acres
NW¼ NW¼ 37 acres
SW¼ NW¼ 25.5 acres
NW¼ SW¼ 7 acres

comprising a total of 116.5 acres of land and the license should be issued for 1.533 cfs.
Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none

COMMENTS:

The applicable portions of Water Right No. 346-3 have been incorporated into Water Right No. 4316-3 and authorizes 1.53 cfs to irrigates 113 acres. Well #1 has an April 10, 1959 priority date. Well #2 has an August 22, 1978 priority date. Water Permit No. 5542-3 is for an additional 3.5 acres with a March 4, 1991 priority and no additional water. The applicable portions of Water Right No. 4316-3 should be incorporated into 5542-3.



Lynn Beck

Natural Resources Engineer

DENR, Water Rights Program

9-16-97

Date

REPORT ON INSPECTION OF PERMIT NO. 5542-3

DATE OF INSPECTION: 9-11-97

Other permit(s) associated with the project: 346-2, 346-3A, 4316-3

NAME & ADDRESS OF INSPECTION CONTACT: Steve Harrer, CGCS, 3101 W 22nd St., Sioux Falls SD 57105

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Golf Course Superintendent

NAME & ADDRESS OF PERMIT HOLDER: Minnehaha Country Club, same address.

DIVERSION POINT LEGAL LOCATION: Well #1 is 1020' S and 110' E in the NW $\frac{1}{4}$; Well #2 is 2363' S and 668' E in the SW $\frac{1}{4}$ NW $\frac{1}{4}$; all in Section 30, T101N, R49W.

WELL INFORMATION:

- 1) Well Drilling Firm: Well #1 - Grimshaw and Bice/Well #2 - Sioux Falls Well Drilling.
- 2) No. of Wells 2
- 3) Depth(s) 74/32 feet
- 4) Well log is available The wells have already been licensed though I found no well logs.

Casing:

- 1) Diameter 20/16 inches
- 2) Length 32/16 feet
- 3) Type steel

Screen:

- 1) Type stainless steel
- 2) Length 18/10 feet
- 3) Static water level 3/11.5 feet

Pump:

- 1) Make both Jacuzzi
- 2) Model 6 BIT - 624
- 3) Size 6
- 4) Capacity 345 each GPM

Motor:

- 1) Make both U.S. Electric
- 2) Model No. 324TPH
- 3) Horsepower rating 40 each hp

DISTRIBUTION LINES OR CANALS:

- 1) Type cast iron 2) Size 6 inches 3) Length 5 feet
- 1) Type PVC 2) Size 1 inches 3) Length 400 feet
- 1) Type PVC 2) Size 1½ inches 3) Length 1700 feet
- 1) Type PVC 2) Size 2 inches 3) Length 1300 feet
- 1) Type PVC 2) Size 2½ inches 3) Length 1000 feet
- 1) Type PVC 2) Size 3 inches 3) Length 9800 feet
- 1) Type PVC 2) Size 4 inches 3) Length 1050 feet
- 1) Type PVC 2) Size 6 inches 3) Length 5350 feet

SYSTEM TYPE:

Permanent irrigation system for golf course using Rain Bird sprinklers model nos. 41 and 51.

CHEMIGATION EQUIPMENT:

- 1) Does chemigate No

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

SW¹ SW⁴
7 acres

SE¹ SW⁴
21 acres

NW¹ NW⁴
37 acres

NE¹ NW⁴
19 acres

Well #1 (346-3A)

SW¹ NW⁴
25.5 acres

Well #2 (4316-3)

NW¹ SW⁴
7 acres

Total = 116.5 acres

30

2000'

37.0

well



Lynn Beck
Lynn Beck
Natural Resource Engineer
DENR, Water Rights Program
9-15-97

101-49

7.8 (1-18)

23.2

5542-3

W. Beck

8/15/98

2363'
1020'
110'

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5542-3

(1) Minnehaha Country Club, 3101 W 22nd St, Sioux Falls SD 57106 made Application No. 5542-3, March 4, 1991 for a water permit to irrigate additional acres from groundwater (two existing wells), Minnehaha County, South Dakota. Permit No. 5542-3, with a priority date of March 4, 1991 was approved July 24, 1991 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 24, 1996 and for the application to beneficial use of said water on or before July 24, 2000.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on February 17, 1994. The *Notice* stated the diversion system was completed on August 1, 1991 and the water placed to beneficial use on August 1, 1991.

Water License No. 4316-3 authorizes 1.53 cubic feet of water per second from two wells to irrigate 113 acres. Well #1 (345 gallons per minute) has a April 10, 1959 priority date and Well #2 (345 gallons per minute) has a August 22, 1978 priority date. Water Permit No. 5542-3 has a March 4, 1991 priority date and authorizes the irrigation of an additional 3.5 acres and changed the location of 4 acres being irrigated by Water License No. 4316-3. Water Permit No. 5542-3 did not authorize any increase in the developed diversion rate.

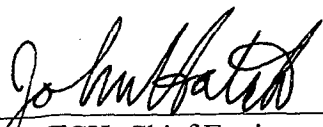
The applicable portions of Water License No. 4316-3 have been incorporated into No. 5542-3.

(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 1.53 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 1,020 feet south and 110 feet east and Well #2 - 2,363 feet south and 668 feet east; both from the northwest corner of Section 30-T101N-R49W

(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:

All in T101N-R49W					
Section 30	NE 1/4 NW 1/4	19 acres	Section 19	SW 1/4 SW 1/4	7 acres
	NW 1/4 NW 1/4	37 acres		SE 1/4 SW 1/4	21 acres
	SW 1/4 NW 1/4	25.5 acres			
	NW 1/4 SW 1/4	7 acres			
			Total 116.5 acres		

(4) Pursuant to South Dakota Water Law 46-5-30.1 Minnehaha Country Club, 3101 W 22nd St, Sioux Falls SD 57106 the holder and/or owner of Incorporated Water Permit No. 5542-3 is issued a license to appropriate water, the right to use 1.53 cubic feet of water per second from groundwater (two wells) with priority dates of April 10, 1959 (Well #1); August 22, 1978 (Well #2); and March 4, 1991 (additional 3.5 acres) from the locations specified in (2) of this license. The water 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 Incorporated Water Permit No. 5542-3 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 27 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 29, 1997

5542-3

Minnehaha Country Club
%Steve Harrer
3101 W. 22nd St.
Sioux Falls, SD 57106

Dear Mr. Harrer:

The investigation of your water use system was conducted on September 11, 1997, by Lynn Beck, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 5542-3. Your final water right document, the Water License, can now be issued.

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

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 27 1998

5542-3

Minnehaha Country Club
%Steve Harrer
3101 W. 22nd St.
Sioux Falls, SD 57106

Dear Mr. Harrer:

Enclosed is Water License No. 5542-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415633 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. 5542-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

NOTE: The applicable portions of Water License No. 4316-3 have been incorporated into No. 5542-3.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

415633

Pierre, February 4, 19 98

RECEIVED OF Minnehaha Country Club, 3101 W. 22nd St., Sioux Falls, SD 57105
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
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. 5542-3

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By _____
Chief Engineer

John Hatch



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 13, 1998

Steve Harrer
Minnehaha Country Club
3101 W 22nd Street
Sioux Falls, SD 57106

Dear Mr. Harrer:

I am writing in follow-up to our telephone conversation regarding Minnehaha Country Club's water right. The Country Club is planning some alterations to the underground irrigation system used to apply water to the golf course. You wanted to know if the Club needed to make any amendment to their existing water right.

It is my understanding that there is no additional water or additional acres intended to be irrigated by these alterations. You described the alterations as upgrades necessary to more efficiently water the course including some minor changes in areas which receive water.

If the acres being irrigated remain within the legal descriptions described on the water right and no additional water is appropriated the Country Club does not need to amend their water right.

Thank you for taking the time to contact me so we could discuss the Country Club's plan and ensure those changes remain within the scope of the water right. If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

5542-3
07-92

32

Date: 12/27/10



**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 19, 2011

Minnehaha Country Club
c/o David Swift
3101 W 22nd St
Sioux Falls SD 57105

Dear Mr. Swift:

I am writing in regard to a well completion report filed by Lacey Well Drilling Inc. The report shows a new well was completed for the Minnehaha Country Club on October 16, 2010. A review of our files indicates the club holds Water Right No. 5542-3 which authorizes 1.53 cubic feet of water per second (approximately 690 gallons per minute) from two wells and Water Permit No. 6861-3 which authorized a storage pond and increased the diversion rate from the pond to 2.67 cfs (approximately 1200 gpm).

South Dakota Codified Law 46-5-13.1 provides that a point of diversion (well) may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Is the new well a replacement well or an additional well? If it is an additional well, does the well increase the total appropriation of 690 gpm authorized by Water Right No. 5542-3? Once we determine the status of the new well, we can determine what, if any additional action needs to be taken.

If you have any questions, please contact Eric Gronlund or me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

Schlaak, Karen

From: David Swift [david@minnehahacc.com]

Sent: Thursday, January 20, 2011 12:35 PM

To: Schlaak, Karen

Subject: Well Completion Report

Karen,

I am responding to your letter regarding a new well that was completed for Minnehaha Country Club.

The new well is a replacement well replacing the North Well on our property. We still currently use the other "south well" on our property. In the fall of 2009 our North Well pump had considerable damage that needed over \$7,000 to repair. With the expansion of the levee along the Big Sioux River it was decided to replace this well with a new well in the same general vicinity outside of the levee area to hide it from view and avoid the repair to the older well pump. The older well was sealed and will soon be part of the levee expansion.

This older well is no longer in use and I believe that we are still well below the appropriation of 690 gpm with the newer well and older well still in use.

I thought that we were ok with our permit as long as we were still using the same/less amount of water than the past.

If you have any further questions, please let me know.

Thank you,

Dave

David Swift
Superintendent
Minnehaha Country Club
3101 West 22nd St.
Sioux Falls, SD 57105
Ph: 605-332-2304
Cell: 605-323-8479
Fax: 605-336-1627

01/20/2011



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 19 2011

6861-3
5542-3

David Swift, Golf Course Supt
Minnehaha Country Club
3101 W 22nd St
Sioux Falls SD 57105

Dear Mr. Swift:

Enclosed is Water License No. 6861-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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. 6861-3, 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.

The applicable portions of Water Right No. 5542-3 were incorporated into Water License No. 6861-3. 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Garland Erbele".

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6861-3

(1) Minnehaha Country Club, 3101 W 22nd St, Sioux Falls SD 57105 made Application No. 6861-3, June 4, 2007 for a water permit to divert 2.67 cubic feet of water per second from a pond (3.5 acre feet storage capacity), Minnehaha County, South Dakota for irrigation purposes. Permit No. 6861-3, with a priority date of June 4, 2007 was approved September 10, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 10, 2012 and for the application to beneficial use of said water on or before September 10, 2016.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on August 1, 2008. The "*Notice*" stated the water use system was completed and the water placed to beneficial use in April of 2008.

Water Right No. 5542-3 authorizes diversion of 1.53 cfs from two wells for irrigation of 116.5 acres. Water Permit No. 6861-3 was obtained to authorize addition of a storage pond to the system. The applicable portions of Water Right No. 5542-3 have been incorporated into this license. Priority dates are as follows: Well #1 – April 10, 1959; Well #2 – August 22, 1978; 3.5 additional acres – March 4, 1991; 3.5 acre feet storage pond – June 4, 2007.

(2) It is certified that the permit holder 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 1.53 cubic feet of water per second from ground water (two wells) into a 3.5 acre feet storage pond and is also entitled to divert at a rate of 2.67 cubic feet of water per second from the pond to the irrigated acres for beneficial use.

The location of the diversion points are:

- Well #1: 1,020 feet south and 110 feet east of the NW corner of Section 30, T101N, R49W (NW ¼ NW ¼);
- Well #2: 2,363 feet south and 668 feet east of the NW corner of Section 30, T101N, R49W (SW ¼ NW ¼);
- Pond: NW ¼ NW ¼ Section 30, T101N, R49W

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

All in T101N, R49W					
Section 30	NE ¼ NW ¼	19.0 acres	Section 19	SW ¼ SW ¼	7.0 acres
	NW ¼ NW ¼	37.0 acres		SE ¼ SW ¼	21.0 acres
	SW ¼ NW ¼	25.5 acres			
	NW ¼ SW ¼	7.0 acres		Total 116.5 acres	

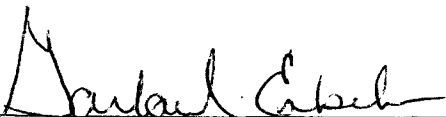
(4) Pursuant to South Dakota Water Law 46-5-30.1 Minnehaha Country Club, 3101 W 22nd St, Sioux Falls SD 57105 the holder and/or owner of Incorporated Water Right No. 6861-3 is issued a license to appropriate water, the right to use 1.53 cubic feet of water per second from ground water (two wells) and 2.67 cubic feet of water from a 3.5 acre feet storage pond with priority dates of April 10, 1959, August 22, 1978, March 4, 1991 and June 4, 2007 from the locations specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6861-3 and subject to the following qualifications:

- No. 6861-3 allows pumping from the two existing wells authorized by Water Right No. 5542-3 at a rate of 1.53 cubic feet of water per second into a 3.5 acre-feet storage pond prior to application of water to the acreage described in Water Right No. 5542-3.

Continued

- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or types of soils so requires, Permit No. 6861-3 authorizes a maximum diversion rate of 2.67 cfs from the pond with an annual volume not to exceed 2 acre-feet of water per acre per year.
- This permit is approved subject to the irrigation water use questionnaire being submitted each year.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 19 2011

date

