

Considered: _____

WATER PERMIT NO. 5649-3

Phone: 605-361-7010

Name of Applicant: Steve R. Slack/Spring Creek Golf Course

Post Office Address: 4200 S Louise, Suite 200, Sioux Falls SD 57106

Amount of Water Claimed: 1 cfs Total Acres: 131

Source of Water Supply: groundwater

Water to be used for: irrigation County: Lincoln

About 9 miles North of Canton

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 3-19-92 Fee: \$250 Remarks _____

Corrected Application Received 3-25-92 Period of Annual Use March 1 - Sept 30

WATER QUALITY APPROVAL RECEIVED 4-6-92 APPROVED/CONDITIONAL (Circle one)

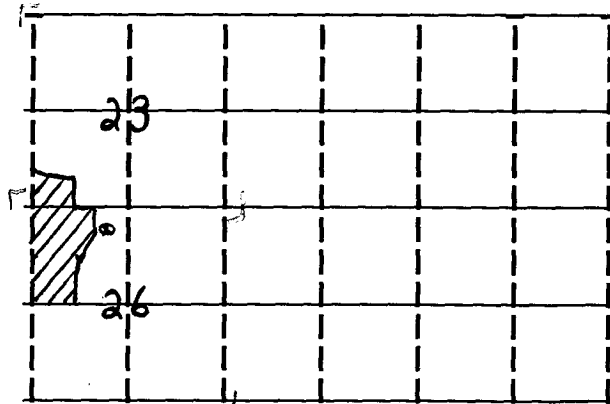
WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: NE 1/4 NW 1/4 Sec 26-T100N-R49W

Land to be Irrigated: W 1/2 SW 1/4 Sec 23;

NW 1/4 NW 1/4, Lot 1, S 1/2 NW 1/4, NE 1/4 NW 1/4

Sec 26; all in T100N-R49W



Well Log: Driller: Lacey Well Drilling Licensed YES X NO _____

Depth of Well: 28' REMARKS _____

Type of Map: aerial PREPARED BY: Victor Enger, ASCS Reviewed and the Number

Assigned on 4-6-92 By Karen Schlaak

(See instructions)

331-2200

No. 5649-3 Hydrologic Unit 10170203
Basin Big Sioux River
Newspaper Hudsonite, 619 7th, Hudson, SD 57034

Argus Leader, PO Box 5034, SF 57117-5034 Sioux Valley News, Box 255, Canton 57013 (Thurs) 987-2631
Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

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

1. Name of Applicant Steve R. Slack / Spring ^{Creek} Golf Course Phone No. 605-361-7010

Post Office Address 4200 South Louise, Suite 200, Sioux Falls State South Dakota 57106
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 1 c.f.s. Total acres irrigated 160 acres

3. Source of Water supply Big Sioux Aquifer/Well

4. Location of point of diversion NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 26, Township 100N, Range 49W of the
5th P.M. Lincoln County, South Dakota. Dam - N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 26 - T100N - R49W

County _____

5. Counties where water will be used Lincoln

6. Annual period during which water is to be used March 1 to September 30

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.
S 26.87 acres of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$, Except Long Tract 1	26.87
<u>23-100-49</u>	
NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, 26-100-49	40

Attach sheet if more space is needed

Land Description	No. Acres Irr.
Lot 1 & the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ & NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ 26-100-49.	40.8
	94.22.9

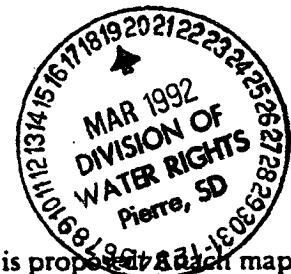
8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: _____ (Specify) Sprinklers

9. Crops to be Irrigated: Grass and Trees

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

18 Hole Golf Course, with Driving Range and Practice Greens.

OUR WATER SAMPLE NUMBER IS : 92-0031



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 Lincoln)^{ss}

I, Steve R. Slack, 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 [Signature]

Subscribed and sworn to before me this 4th day of March 19 92

Cindy L. Slack
Notary Public

SOUTH DAKOTA
WATER PERMIT No. 5649-3 FOR IRRIGATION

Date of first receipt of application March 19, 1992.

Date Soil/Water Compatibility Permit received April 6, 1992.

Date of return to applicant for corrections, amendments or changes March 23, 1992.

Date of receipt of corrected application March 25, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5649-3 to Steve R. Slack, Spring Creek Golf Course, 4200 South Louise, Suite 200, Sioux Falls SD 57106 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. 5649-3 appropriates 1.0 cubic feet of water per second (cfs) from one well (Big Sioux South) 28 feet deep located in the NE 1/4 NW 1/4 Section 26-T100N-R49W to irrigate 131 acres. Water may be diverted to a storage dam (25 acre-feet capacity) located in the N 1/2 NW 1/4 Section 26-T100N-R49W prior to being used for irrigation. The 131 acres to be irrigated are located in the W 1/2 SW 1/4, Section 23; NW 1/4 NW 1/4, Lot 1, S 1/2 NW 1/4, NE 1/4 NW 1/4 Section 26; all in T100N-R49W.
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: March 1 - September 30.
3. The date from which applicant may claim right is March 19, 1992.
4. The date of approval of Permit No. 5649-3 is July 8, 1992.
5. One-fifth of the construction is to be completed on or before January 8, 1995.
6. All construction is to be completed on or before July 8, 1997.
7. Water is to be put to beneficial use on or before July 8, 2001.
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. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

(continued)

2. The wells authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Approval of Permit No. 5649-3 authorizes construction of a dam with a storage capacity of 25 acre-feet. Maximum height of the dam must be less than 25 feet.
5. Diversion from the dam for irrigation may not exceed 1.87 cfs (840 gallons per minute) and 2 acre-feet per acre per year.

WATER MANAGEMENT BOARD

By: _____

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

JUL 13 1992

date

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- possibly 2 wells -

- a) Drill Hole Diameter 20" Depth 28'
- b) Casing Type STEEL Diameter 10" Thickness 5/16"
- c) Screen Type JOHNSON SS Diameter 10" Thickness 3/16"
- d) Gravel Pack Thickness 5" Length of Gravel Pack 15'
- e) Depth to Top of Water Bearing Material 9'
- f) Depth of Water (ground surface to water level) 9'
- g) Distance to nearest existing domestic well:
On applicants property NONE On property owned by others 2500'

2. Dugout Information Estimates

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

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

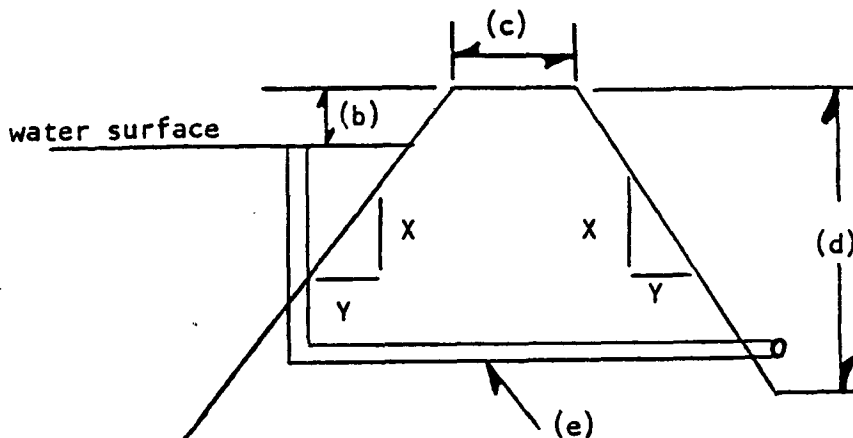
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant

SPRING CREEK COUNTRY CLUB

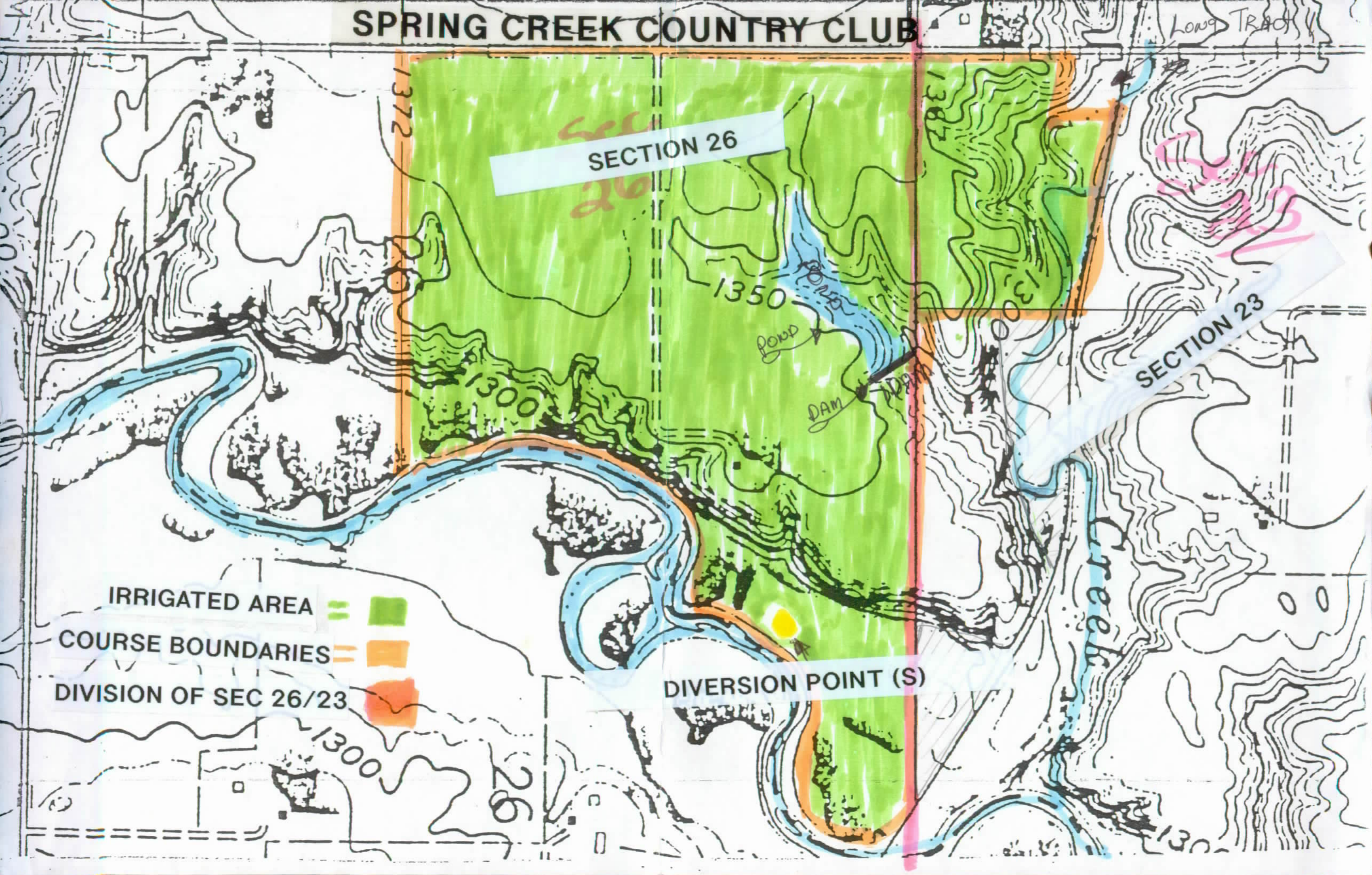
Long TRAIL

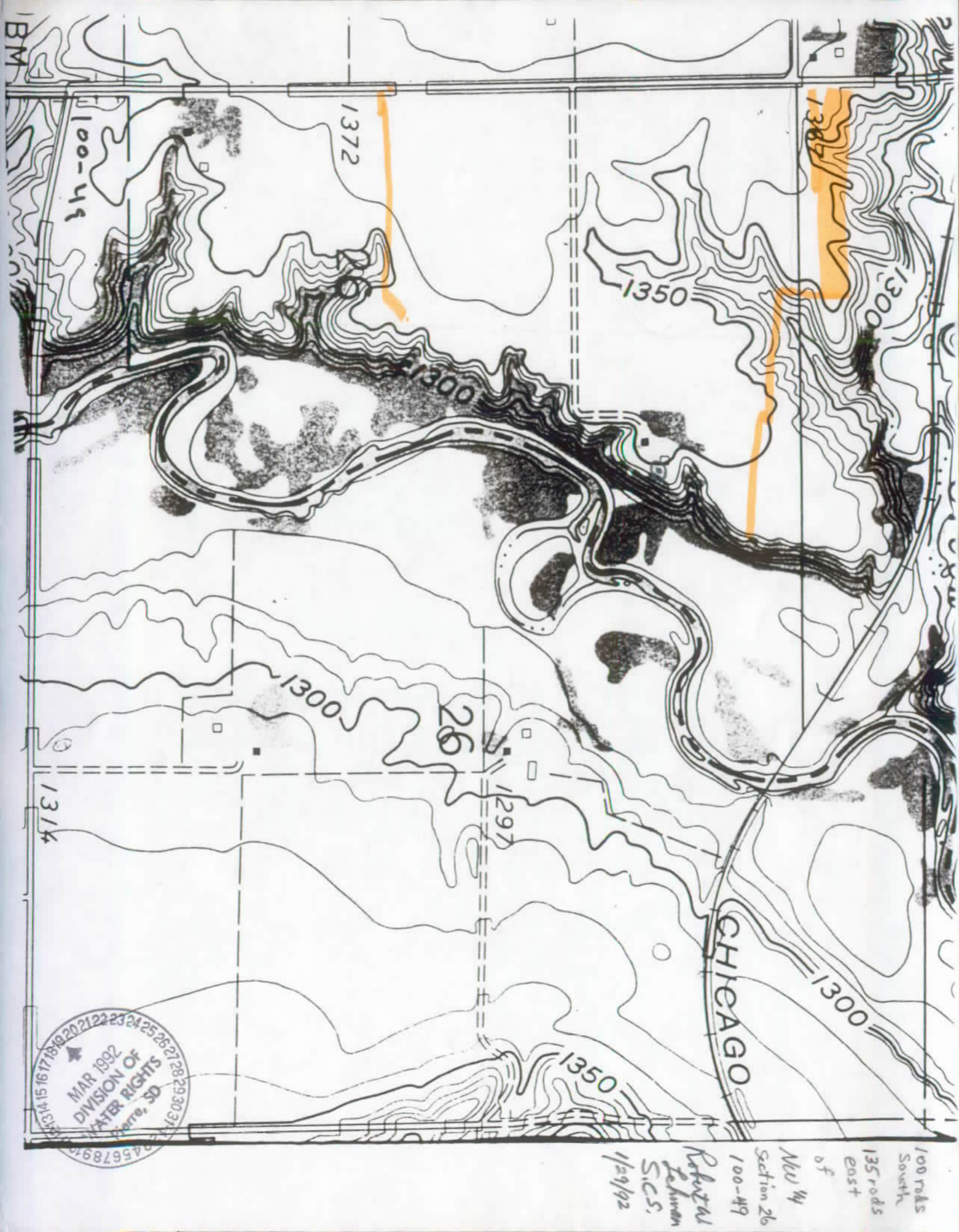
SECTION 26

SECTION 23

- IRRIGATED AREA = 
- COURSE BOUNDARIES = 
- DIVISION OF SEC 26/23 = 

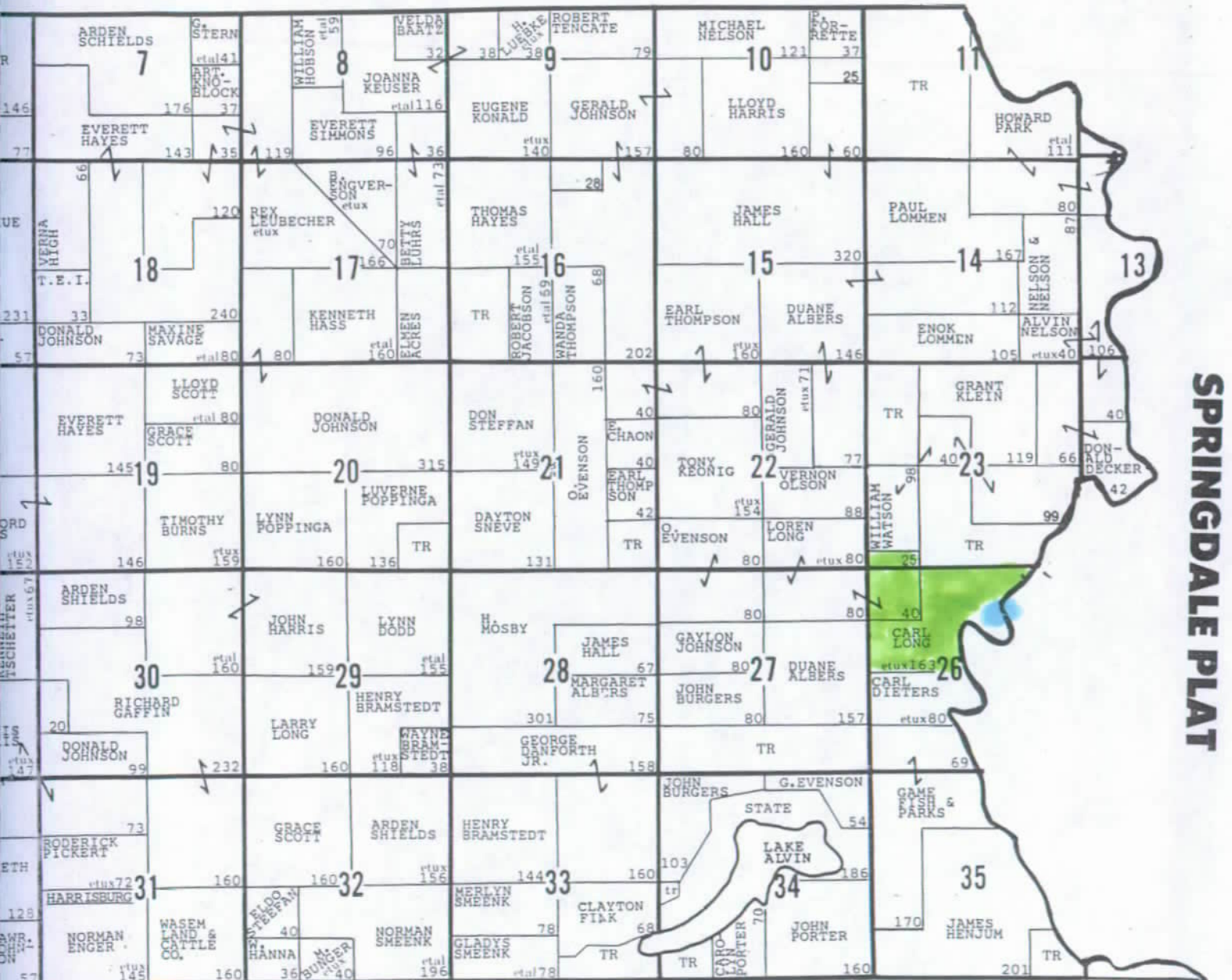
DIVERSION POINT (S)





MAR 1992
DIVISION OF
WATER RIGHTS
Pierre, SD
1313 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32

100 rods
South
135 rods
east
of
NW 1/4
Section 26
100-49
Robert
Lehman
S.C.S.
1/29/92

**R-49-50-W**

- Diversion/Well(s)

= course

UNITED STATES DEPARTMENT OF AGRICULTURE

Soil Conservation Service

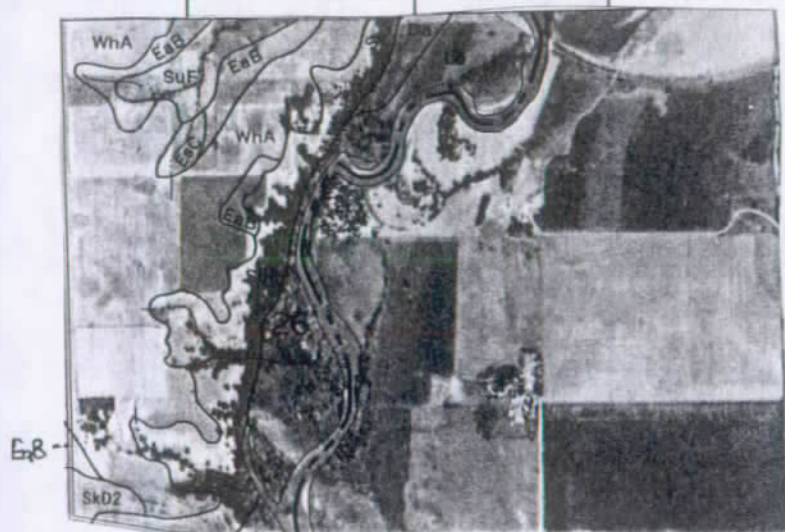
SOIL INTERPRETATIONS

SD-CPA-1

1/85

Producer's Name _____

MAP SYMBOL	SOIL MAPPING UNIT NAME	CAPABILITY CLASSES	SOIL DESCRIPTIONS AND INTERPRETATIONS
---------------	---------------------------	-----------------------	---------------------------------------



La BIG SIOUX RIVER

SYMBOLCLASS

WhA

I2, IIw1

Wentworth-Chancellor silty clay loams, 0 to 2 percent slopes --Deep, well drained silty soils closely associated with deep, somewhat poorly drained soils in swales and depressions. Wentworth soils have few limitations in use, but Chancellor soils are subject to overflow and wetness. Pasture Group F.

EaB

IIe3

Egan silty clay loam, 3 to 6 percent slopes --Deep, well drained, gently sloping, silty soils on uplands. Good water uptake. Water erosion is main problem. Soil blowing is minor problem. Pasture Group F.

EsC

IIIe2

Egan-Shindler complex, 6 to 9 percent slopes --Deep, well drained, silty soils and deep, well drained, loamy soils with thin surface layers on sloping uplands. Severe water erosion and slight soil blowing hazards. Pasture Group F.

SkD2

VIe3

Shindler-Egan complex, 9 to 15 percent slopes, eroded --Deep, well drained, loamy soils with thin surface layers closely associated with deep, well drained, silty soils on strongly sloping uplands. Severe water erosion hazard. Best suited for pasture or hayland. Pasture Group G.

Da

I1

Davis loam, 0 to 2 percent slopes --Deep, moderately well drained, loamy soils on low stream terraces. A productive soil that is easy to farm. Occasionally flooded in early spring. Pasture Group K.

Producer's Name _____

MAP SYMBOL	SOIL MAPPING UNIT NAME	CAPABILITY CLASSES	SOIL DESCRIPTIONS AND INTERPRETATIONS
<u>SYMBOL</u>	<u>CLASS</u>		
SuF	VIIe1		Steinauer-Shindler clay loams, 25 to 40 percent slopes -- Deep, loamy soils with thin surface layers. They formed in glacial till on steep uplands. Very severe water erosion hazard. Best suited for native grass pasture.
La	IIw3		Lamo silty clay loam, 0 to 1 percent slopes -- Deep, somewhat poorly drained, silty soils on stream bottoms that are occasionally flooded and have seasonal water tables. Time of tillage is often delayed by wetness and yields are affected. Pasture Group A.
<u>SYMBOL</u>	<u>PASTURE GROUP</u>		
La	A		In this group are deep, loamy and silty to clayey soils on stream bottoms and in upland swales and depressions. They receive extra water from flooding or run in water & from seasonal water tables. Tame grasses & legumes suited to these soils include creeping foxtail and reed canary-grass in wetter areas. Smooth brome grass, intermediate wheatgrass, switchgrass, alfalfa, and clover can be grown on drier areas.
WhA, EaB, EaC	F		In this group are deep, well drained silty and loamy soils. They have few limitations for plant growth. Fertility is medium to high. All the soils in this group have high available water capacity. Reaction of the surface layer is slightly acid or neutral. Grasses and legumes suited to this group are smooth brome grass, intermediate wheatgrass, switchgrass, alfalfa, and clover.
SkD2	G		In this group are deep, gently sloping to moderately steep silty and loamy soils. Available water capacity is high. Fertility is low to medium. Grasses & legumes suited to this group are smooth brome grass, intermediate wheatgrass, switchgrass, alfalfa & clover.
Da	K		In this group are deep, mod. well drained, silty and loamy soils that receive extra moisture from adjacent slopes. Permeability is moderate. Available water capacity and fertility are high. The increased moisture supply is sufficient to produce 1 1/2 to 2 times the vegetation of similar upland soils. Grasses and legumes suited to this group include intermediate wheatgrass, smooth brome grass, switchgrass, alfalfa and clover.

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NE 1/4 NW 1/4 Sec. 26 Twp 100N Rg 49WCounty LINCOLNPlease mark well location with an "X"
2 shallow wells
#1 8' in 12' 2' W
JEFF
#2 8' in 12' 2' W
JEFF
3Well Completion Date 12-13-93

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) 1000 ft. from East side (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well
METHOD OF DRILLING: FAIR GEARING

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>5 lb/ft</u>	<u>14"</u>	<u>IN</u>	<u>FT</u>	<u>IN</u>
<u>LB/FT</u>	<u>IN</u>	<u>FT</u>	<u>FT</u>	<u>IN</u>
<u>LB/FT</u>	<u>IN</u>	<u>FT</u>	<u>FT</u>	<u>IN</u>

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
		<u>lb./gal</u>	<u>ft.</u>	<u>ft.</u>
		<u>lb./gal</u>	<u>ft.</u>	<u>ft.</u>

Describe grouting procedure Put 700# of Portland cement in below where the casing then adapt well to install. Approx 7' - 10'SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 58 IN Length FEETMaterial SSSlot Size 230 Set From Feet to FeetOther information Both wells have 14' x 12' 2' screens #1 14' long #2 is 2' long both set on bottom of holeWAS A PACKER OR SEAL USED? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION:

Was well disinfected upon completion? YES How chlorinatedNO, Why Not? gravelpack: 1A-Hillsand-gravelLaboratory sent to for water quality analysis State LabWell Owner: North Central HoldingBusiness Name: (same)Address: 4200 S. Lincoln Ave.S. D. 57106

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
#1		
Black topsoil	0	8
Medium sand	5	22'6"
#2		
Black topsoil	0	5
Silty sand	5	12
Medium to coarse sand	12	25

STATIC WATER LEVEL #1 8' #2 5' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: Pumped EA well☐ Bailed 2-3 hrs☐ Other _____

Pumping Level Below Land Surface

#1 17 ft. After 3 Hrs. pumped 125 GPM#2 23 ft. After 3 Hrs. pumped 300 GPMIf pump installed, pump rate NOT IN YET GPM

REMARKS

system may require another well. depending on requirement of flowThis well was drilled under license # 111

And this report is true and accurate.

Drilling firm LARRY WELL DRILLING

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 12-13-93

STATE OF SOUTH DAKOTA

MICROFILM CERTIFICATE OF AUTHENTICITY

THIS IS TO CERTIFY THAT THE MICROGRAPHIC IMAGE APPEARING ON THIS COPY OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SECTION 1-27-4 OF THE SOUTH DAKOTA CODIFIED LAWS. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF ADMINISTRATIVE RULES OF SOUTH DAKOTA 10.04.01 AND 10.04.02 FOR MICROGRAPHIC REPRODUCTIONS.

25:1

REDUCTION RATIO

U-9

ROLL NUMBER

3-18-94

DATE MICROFILMED

CAREER OPERATOR SIGNATURE

Chick. m. m.

In Water Since 1946

LACEY WELL DRILLING

Wells
Test Drilling
Irrigation Supplies

Box 796
Trent, South Dakota 57065
Telephone 428-5686 or 428-5979

Pumps
Water Specialists
Water Source Heat Pumps

1-28-92

Log for test well
To: STEVE SLACK

Test well drilled + pumped
on Carl ^{Long} ~~Dietrich~~ property, SEC 28
100-N, 49-50W Lincoln Co., SD
0-9 Black sandy topsoil 9' 9"
9-28 CLEAN uniform sands

Drilled by
Jim Lacey
SD Lic #111



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413137

Pierre, March 20, 19 92

/Steve Slack, RR 1, Box 117, Sioux Falls SD 57106

RECEIVED OF _____

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

Fee for Application for Permit No. <u>5649-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	250	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	25000

By

Chief Engineer

John Hatch
JOHN HATCH

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4695

WR#

OWNERS NAME: SPRING CREEK GOLF COURSE

OWNERS ADDRESS: 4200 S LOUISE - SUITE 200
SIOUX FALLS, SD 57106-3123

COUNTY LAND LOCATED IN: LINCOLN PHONE: 361-7010

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION: NE $\frac{1}{4}$ NW $\frac{1}{4}$ 26-T100N-R49W (Big Sioux Aquifer)

Depth: _____

Legal Description	Acres	Legal Description	Acres
<u>W $\frac{1}{2}$ SW$\frac{1}{4}$ 23-T100N-R49W</u>		<u>W$\frac{1}{2}$ SE$\frac{1}{4}$ NW$\frac{1}{4}$ 26-T100N-R49W</u>	
<u>NW$\frac{1}{4}$ NW$\frac{1}{4}$ 26-T100N-R49W</u>			
<u>NE$\frac{1}{4}$ NW$\frac{1}{4}$ 26-T100N-R49W</u>			
<u>SW$\frac{1}{4}$ NW$\frac{1}{4}$ 26-T100N-R49W</u>			

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

3. CROPS TO BE IRRIGATED: GRASS AND TREES.

WATER QUALITY:

4. WATER SAMPLE NUMBER: 92-0031

7. ADJUSTED (SAR): 2.65

5. SALINITY (EC X 10⁶): 2350

8. PERCENT SODIUM: 11.56

6. SODIUM (SAR): 0.93

Requirements:

The areas mapped as Steinauer-Shinlder clay loams, 25 to 40% slope are subject to a severe erosional hazard. These areas shall be restricted from irrigation; and, runoff from adjacent areas should be restricted.



Russell J. Gao

Director, Division of Conservation

MARCH 30, 1992

Date

XXX APPROVED

DISAPPROVED

WAIVER

XXX REQUIREMENTS

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

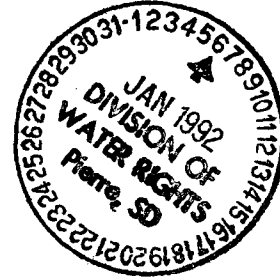
HAGEN, WILKA, SCHREIER & ARCHER, P.C.
LAWYERS

418 FIRST NATIONAL BANK BUILDING
100 SOUTH PHILLIPS AVENUE
SIOUX FALLS, SOUTH DAKOTA 57102-0558
(605) 334-0005

FACSIMILE
(605) 334-4814

JOEL T. HAGEN
THOMAS K. WILKA
KAREN E. SCHREIER
JOHN F. ARCHER
RITA HAVERLY ALLEN
SAMUEL R. ASSAM

January 3, 1992



John Hatch, Chief Engineer
Division of Water Rights
Department of Environment & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Re: Springdale Creek Golf Course, Inc.

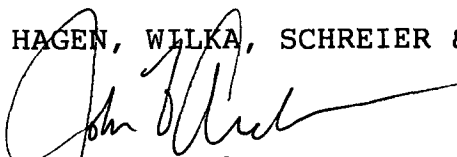
Dear Mr. Hatch:

Pursuant to ARSD 74:02:04:21, Springdale Creek Golf Course, Inc. is hereby requesting permission to begin drilling a test well on its property for the purpose of obtaining a permit from your Department. Springdale Creek Golf Course, Inc. plans to initiate construction of a golf course later on this year. Consequently, they will need to begin testing their wells.

If you have any questions, please do not hesitate to contact Steve Slack, President of the Corporation, at 361-7010.

Very truly yours,

HAGEN, WILKA, SCHREIER & ARCHER, P.C.


John F. Archer

JFA:ko



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.
February 3, 1992

John F. Archer
Hagen, Wilka, Schreier & Archer, P.C.
418 First National Bank Building
100 South Phillips Ave.
Sioux Falls, SD 57102-0558

Dear Mr. Archer:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, Springdale Creek Golf Course, Inc. is authorized to construct a test well on its property. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Very truly yours,

JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

4200 S. Louise
Suite 200
Sioux Falls, SD 57106

**North
Central
Holding, Ltd.**

March 4th, 1992

TO: Mr. Eric Gronlund
523 East Capitol
Joe Foss Building
Pierre, South Dakota
57501-3181



RE: Water Application/ Springdale Golf Course....

Dear Eric,

Please find enclosed my check Number 4139 for \$250.00 for the fee due for the enclosed Water Application. Please review and if I am short any document please call.

Thank you Again and I remain,

Sincerely,

STEVE R. SLACK
President
North Central Holding, Ltd.

SRS/sb

**Real Estate Investment
(605) 361-7010**

4200 S. Louise
Suite 200
Sioux Falls, SD 57106

**North
Central
Holding, Ltd.**

March 23rd, 1992

TO: MR. ERIC GRONLUND
Department of Environment & Natural Resources
Joe Foss Building
523 East Capitol Ave
Pierre, South Dakota
57501-3181



RE: Water Permit.....

Dear Eric,

Please find enclosed three (3) maps showing boundaries of course , diversion points, and irrigated area.

Also please recorded the following changes per Karen's letter:

A.

The well(s) will be located in the following legal description: NE 1/4, NW 1/4 OF SECTION 26-100-R49W.

B.

Item 7 on the application should read as follows:

S 26.87 ACRES OF THE W 1/2 OF THE SW 1/4, EXCEPT LONG TRACT 1. 23-100-R49W = 26.87 ACRES TO BE IRRIGATED

NW 1/4 OF THE NW 1/4, 26-100-R49W = 40 ACRES TO BE IRRIGATED.

LOT 1 & THE SOUTH 1/2 OF THE NW 1/4 26-100-R49W, = 40.8 ACRES TO BE IRRIGATED.

NE 1/4 OF THE NW 1/4 26-100-R49W = 22.9 ACRES TO BE IRRIGATED.

ALL OF THE ABOVE ACRES WHERE GIVEN TO ME BY THE LOCAL ASCS OFFICE, CANTON, SD.

**Real Estate Investment
(605) 361-7010**

Page 2 of 2.

C.

ON FORM 2A PLEASE CHANGE THE HEIGHT OF THE DAM TO 25 FEET AS PER THE COUNTY ENGINEER THIS WILL BE ADEQUATE TO HOLD THE AMOUNT OF WATER NEEDED FOR IRRIGATION. THIS ALSO SAVES TIME AND EFFORT ON THE RULES AND REGULATION KAREN STATED IN HER LETTER.

PLEASE CALL IF ANY MORE DOCUMENTS ARE NEEDED OR MISUNDERSTANDING ON WHAT I HAVE SENT

SINCERELY,

A handwritten signature in cursive script, appearing to read "Steve R. Slack".

STEVE R. SLACK
President
North Central Holding, Ltd

SRS/sb



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 23, 1992

Steve R. Slack
Spring Creek Golf Course
4200 South Louise, Suite 200
Sioux Falls SD 57106

Dear Mr. Slack:

In regard to your water permit application received on March 19, 1992, the following information needs to be submitted and clarified in order to process your application. A copy is enclosed.

Enclosed is the aerial photo submitted for Section 26. Please outline the lands to be irrigated and the location of the well(s) on this map. It would be helpful to have an aerial photo of Section 23 with the lands to be irrigated outlined also. The well location as indicated on the maps, does not appear to be in the NE 1/4 NW 1/4 Section 26-T100N-R49W as stated on the application. Please indicate the location of the dam also.

Item No. 7 of the application, regarding the land descriptions, needs clarification. The number of acres for each legal description need to be listed separately. How many acres are located specifically in each legal described area (i.e. - Lot 1 and the S 1/2 NW 1/4 are separate). How many acres are located in the NE 1/4 NW 1/4 Section 26? Are the 26.87 acres located in the SW 1/4 SW 1/4 Section 23?

Because the height of dam exceeds 25 feet, it was determined that a written preliminary risk assessment of the downstream hazard potential needs to be provided to aid in determining the hazard classification for the proposed dam (see enclosed Safety of Dams Rules Sections 74:02:08:05 and 74:02:08:05.01). The hazard classification for the dam (Category 1, 2 or 3) needs to be known in order to determine what provisions of the Safety of Dams Rules will apply to your dam.

An assessment of the downstream hazard potential is to consist of a list of properties downstream from the dam (homes, roads, dams and other structures) with the potential affects of a dam failure to these properties. The legal descriptions of these downstream properties and the elevation above the waterway need to be included in the assessment. The risk assessment needs to be prepared by an engineer as defined in the Safety of Dams Rules. The Soil Conservation Service may be able to assist with the risk assessment. Plans and specifications for the dam will also be needed pursuant to Safety of Dams Rules Chapter 74:02:08.

March 23, 1992
Steve R. Slack
Page 2

The water permit application can not be considered until the application is complete and a soil/water permit is obtained from the Department of Agriculture. Upon receipt of the above, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

REPORT ON APPLICATION NO. 5649-3
for Steve R. Slack (Spring Creek Golf Course)
May 20, 1992

Application No. 5649-3 propose to appropriate 1.0 cfs from two wells approximately 28 feet deep located in the NE 1/4 NW 1/4 of section 26, T100N R49W to irrigate 131 acres. Water may be diverted to a storage dam (25 acre feet) located in the N 1/2 NW 1/4 of section 26, T100N R49W prior to being used for irrigation. The 131 acres to be irrigated are located in the W 1/2 SW 1/4 of section 23; NW 1/4 NW 1/4, S 1/2 NW 1/4, NE 1/4 NW 1/4 of section 26; all in T100N R49W in Lincoln County.

AQUIFER - BIG SIOUX SOUTH (BS-S)

The Big Sioux South is an unconfined (water table) glacial outwash (sand and gravel). The aquifer underlies 15,600 acres and contains an estimated 70,200 acre feet of recoverable water in storage (Hedges, 1982). These were very conservative estimates. The aquifer is hydraulically connected to the Big Sioux River and extends into Minnehaha County to the north and into Union County to the south. The general direction of ground water movement is from north to south, the same as the river, with local conditions being controlled by the river. That is, ground water flow towards the river.

The Division of Water Rights monitors 4 observation wells completed into the Big Sioux South aquifer in Lincoln County. The well LN-57B is located approximately 1 mile southeast of this application. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1992).

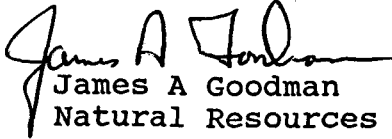
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights in this area which would be affected by this diversion. The closest existing permit (City of Harrisburg) is about 3 miles downstream of this location. Interference is not expected to be a concern.

CONCLUSIONS

1. Water is available from the Big Sioux South aquifer.
2. The aquifer is under unconfined (water table) conditions and interference is not a concern. The Big Sioux River is a few hundred feet from the proposed well locations and the river would limit the amount of drawdown expected.
3. The information supplied with the application concerning the dam is not sufficient to determine if dam safety rules apply. If the proposed dam is kept under 25 feet in height and stores the 25 acre feet as stated then the dam rules would not apply.

4. Any well or wells authorized by this application must be constructed in accordance with SD Well Construction Standards.
5. This permit would authorize a 262 acre feet annual diversion from the well or wells.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hedges, L.S., etal, 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, 1992, Unpublished Observation Well Records for the Big Sioux Aquifer in Lincoln County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

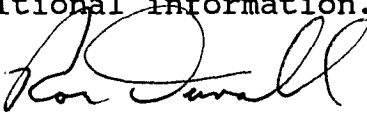
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5649-3, Steve Slack

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. 5649-3, Steve Slack, Spring Creek Golf Course, 4200 South Louise, Suite 200, Sioux Falls, SD 57106.

The Chief Engineer is recommending APPROVAL of Application No. 5649-3 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) it is in the public interest with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Approval of Permit No. 5649-3 authorizes construction of a dam with a storage capacity of 25 acre-feet. Maximum height of the dam must be less than 25 feet.
5. Diversions from the dam for irrigation may not exceed 1.87 cfs (840 gallons per minute) and 2 acre-feet per acre per year.

See report on application for additional information.


for JOHN HATCH, Chief Engineer
June 2, 1992



**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 NEWSPAPERS RIGHT AWAY.

June 4, 1992

Steve R Slack
Spring Creek Golf Course
4200 S Louise Ste 200
Sioux Falls, SD 57106

Dear Mr. Slack:

Water Permit Application No. 5649-3 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 Sioux Valley News printed at Canton, SD (Ph # 987-2631) and the Argus Leader printed at Sioux Falls, SD (Ph # 331-2200). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are 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 newspapers to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the papers can eliminate delays. The publishers have 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 newspapers have 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

June 4, 1992

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

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5649-3 to be published twice. Please publish the first notice on June 11, 1992, 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 Steve R Slack, Spring Creek Golf Course, 4200 South Louise, Suite 200, Sioux Falls, SD 57106 (Ph # 361-7010).

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 4, 1992

Sioux Valley News
Box 255
Canton, SD 57013

ATTENTION: Legal Department

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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 Steve R Slack, Spring Creek Golf Course, 4200 South Louise, Suite 200, Sioux Falls, SD 57106 (Ph # 361-7010).

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

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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 June 11, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5649-3 to Appropriate Water

Notice is given that Steve R Slack, Spring Creek Golf Course, 4200 South Louise, Suite 200, Sioux Falls, SD 57106 has filed an application for a water permit to appropriate 1.0 cubic feet of water per second from one well (Big Sioux South) 28 feet deep located in the NE 1/4 NW 1/4 Section 26-T100N-R49W to irrigate 131 acres. Water may be diverted to a storage dam (25 acre-feet capacity) located in the N 1/2 NW 1/4 Section 26-T100N-R49W prior to being used for irrigation. The 131 acres to be irrigated are located in the W 1/2 SW 1/4, Section 23; NW 1/4 NW 1/4, Lot 1, S 1/2 NW 1/4, NE 1/4 NW 1/4 Section 26; all in T100N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5649-3 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 June 29, 1992. 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. 5649-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for July 8, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the July 8, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board 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 8, 1992, 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 June 29, 1992.

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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Minnehaha) ss.

I, M. DEVISH

certify that the attached printed Notice was taken
 from the Argus Leader

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

_____ city _____ of _____ Sioux Falls

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

Thursday, June 11, 1992

Thursday, June 18, 1992

Mary Devish (Signature)
Controller (Title)
6/18/92 (Date Signed)

Cost of Printing: \$126.04

NOTICE OF HEARING on Application No. 5649-3 to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5649-3 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.

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 11790 June 11, 18, 1992



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Lincoln) ss.

I, Sandra Lundstrom

certify that the attached printed Notice was taken
 from the SIOUX VALLEY NEWS

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

City _____ of _____ Canton _____

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

June 11, 1992

June 18, 1992

Sandra Lundstrom
 (Signature)

Bookkeeper
 (Title)

June 18, 1992
 (Date Signed)

Cost of Printing: \$64.19

Harmon R. Thorson

ERNON R. THORSON
 My commission expires
 January 20, 1995.

NOTICE OF HEARING
on Application No. 5649-3
to Appropriate Water

Notice is given that Steve R. Slack, Spring Creek Golf Course, 4200 South Louise, Suite 200, Sioux Falls, SD 57106 has filed an application for a water permit to appropriate 1.0 cubic feet of water per second from one well (Big Sioux South) 28 feet deep located in the NE 1/4 NW 1/4 Section 26-T100N-R49W to irrigate 131 acres. Water may be diverted to a storage dam (25 acre-feet capacity) located in the N 1/2 NW 1/4 Section 26-T100N-R49W prior to being used for irrigation. The 131 acres to be irrigated are located in the W 1/2 SW 1/4, Section 23; NW 1/4 NW 1/4, Lot 1, S 1/2 NW 1/4, NE 1/4 NW 1/4 Section 26; all in T100N-R49W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5649-3 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.

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For purposes of publishing 1) the notice of hearing on Application No. 5649-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for July 8, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E. Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the July 8, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board 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 8, 1992, hearing date will be automatically delayed for at least 20

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Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Steve Slack - WP No. 5649-3

ADDRESS: _____ COUNTY: Lincoln

DATE: 7/9/92 TELEPHONE: 361-7010

RE: Phone discussion with Mr. Slack

COMMENTS:

Genny McMath while logging the new permit on NR02 noticed that the application was for 2 wells but the advertisement only indicated one well was to be drilled. This will require that the permit be readvertised. I contacted Mr. Slack to inform him on this. He wants to begin developing ASAP, so I stated we could probably issue the permit for one well and follow this up by readvertising the Permit. He said he didn't have any problem with this and that if we readvertised we should probably state up to 3 wells will be drilled.

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 Hurlburt



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 13 1992

Steve R Slack
Spring Creek Golf Course
4200 S Louise, Suite 200
Sioux Falls, SD 57106

Dear Mr. Slack:

Enclosed is Water Permit No. 5649-3 authorizing construction of your water diversion system and beneficial use of the water, 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.

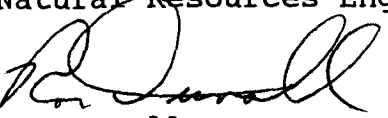
REPORT ON WATER PERMIT NO. 5649-3
STEVE R. SLACK, SPRING CREEK GOLF COURSE
JULY 16, 1992

Water Permit No. 5649-3 appropriates 1.0 cubic feet of water per second (cfs) from one well (Big Sioux South) 28 feet deep located in the NE 1/4 NW 1/4 Section 26-T100N-R49W to irrigate 131 acres. The irrigated acres are located in the W 1/2 SW 1/4, Section 23; NW 1/4 NW 1/4, Lot 1, S 1/2 NW 1/4, NE 1/4 NW 1/4 Section 26; all in T100N-R49W. Water may be diverted from the well to a storage dam (25 acre-feet capacity) located in the N 1/2 NW 1/4 Section 26-T100N-R49W prior to being used for irrigation. The diversion rate from the dam, for irrigation may be at a rate of 1.87 cfs. Readvertisement of the notice of hearing published on June 11 and 18, 1992 in the Argus Leader and Sioux Valley News is needed to correct the number of wells to be constructed. The correct number of wells is three wells (Big Sioux South) 28 feet deep to be located in the NE 1/4 NW 1/4 Section 26-T100N-R49W. This readvertisement is to identify the correct number of wells, and to allow the diversion rate from the dam for irrigation to be 1.87 cfs. No increase in the number of acres to be irrigated or increase of the diversion rate from the wells is authorized by this readvertisement.

Conclusions

1. This is a readvertisement of the Notice of Hearing for Water Permit No. 5649-3
2. This readvertisement is necessary to correct the number of wells. The Form 2A, Supplemental Information, and maps indicated that more than one well may be needed.
3. The correct number of wells is three wells to be located in the NE 1/4 NW 1/4 Section 26-T100N-R49W.


Eric Gronlund
Natural Resources Engineer


Ron Duvall
Natural Resources Engineer IV

RECOMMENDATION OF CHIEF ENGINEER FOR READVERTISED WATER PERMIT
APPLICATION NO. 5649-3, Steve R. Slack

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 readvertised Water Permit Application No. 5649-3, Spring Creek Golf Course, c/o Steve R. Slack, 4200 South Louise, Suite 200, Sioux Falls, SD 57106.

The Chief Engineer is recommending APPROVAL of readvertised Application No. 5649-3 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) it is in the public interest with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 5649-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casings pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Approval of Permit No. 5649-3 authorizes construction of a dam with a storage capacity of 25 acre-feet. Maximum height of the dam must be less than 25 feet.
5. Diversion from the dam for irrigation may not exceed 1.87 cfs (840 gallons per minute) and 2 acre-feet per acre per year.

See report on application for additional information.


JOHN HATCH, Chief Engineer
August 17, 1992



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 25, 1992

Steve R. Slack
Spring Creek Golf Course
4200 South Louise, Suite 200
Sioux Falls, SD 57106

Dear Mr. Slack:

The original notice of hearing for Water Permit No. 5649-3 was published with an error. Therefore, the notice of hearing needs to be readvertised to correct the error. A notice of hearing has been sent to the Publisher of the Sioux Valley News printed at Canton, SD (Ph # 987-2631) and Argus Leader printed at Sioux Falls, SD (331-2200). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the readvertisement are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Division of Water Rights. Please contact us if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Eric Gronlund".

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

August 25, 1992

Sioux Valley News
Box 255
Canton, SD 57013

Attn: Legal Department

Enclosed is a Readvertisement of Notice of Hearing on Permit No. 5649-3 to be published twice. Please publish the first notice on September 3, 1992, with the second publication 7 days later.

Please bill the Water Rights Division for the cost of the advertisement.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund

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 Readvertisement of Notice of Hearing to Appropriate Water by Permit No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

August 25, 1992

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

Attn: Legal Department

Enclosed is a Readvertisement of Notice of Hearing on Permit No. 5649-3 to be published twice. Please publish the first notice on September 3, 1992, with the second publication 7 days later.

Please bill the Water Rights Division for the cost of the advertisement.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Readvertisement of Notice of Hearing to Appropriate Water by Permit 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 September 3, 1992, with the second publication 7 days later.

Readvertisement of NOTICE OF HEARING on Application No. 5649-3 to Appropriate Water

Notice is given that Steve R. Slack, Spring Creek Golf Course, 4200 South Louise, Suite 200, Sioux Falls, SD 57106 filed an application for a water permit on March 19, 1992. Water Permit No. 5649-3 appropriates 1.0 cubic feet of water per second (cfs) of groundwater (Big Sioux South Aquifer), 28 feet deep, located in the NE 1/4 NW 1/4 Section 26-T100N-R49W to irrigate 131 acres. The irrigated acres are located in the W 1/2 SW 1/4, Section 23; NW 1/4 NW 1/4, Lot 1, S 1/2 NW 1/4, NE 1/4 NW 1/4 Section 26; all in T100N-R49W. Water may be diverted from the well to a storage dam (25 acre-feet capacity) located in the N 1/2 NW 1/4 Section 26-T100N-R49W prior to being used for irrigation. The diversion rate from the dam for irrigation may be at a rate of 1.87 cfs. Readvertisement of the notice of hearing published on June 11 and 18, 1992 in the Argus Leader and Sioux Valley News is needed to correct the number of wells to be constructed. The correct number of wells is three wells (Big Sioux South), 28 feet deep, to be located in the NE 1/4 NW 1/4 Section 26-T100N-R49W. This readvertisement is to identify the correct number of wells, and to allow the diversion rate from the dam for irrigation to be 1.87 cfs. No increase in the number of acres to be irrigated or increase in the diversion rate from the wells is authorized by this readvertisement.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of readvertised Application No. 5649-3 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 September 21, 1992. 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, September 30, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. 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. The September 30, 1992, 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 September 21, 1992.

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 Eric Gronlund by September 21, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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, 46-2A-20, 46-2A-21; 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. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

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

Thursday, the 3 day of September, 19 92

Thursday, the 10 day of September, 19 92

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

_____, the _____ day of _____, 19____,

and that \$140.74 was charged for publishing the same including a \$2.00 affidavit fee.

M. Devish

Subscribed and sworn to before me September 10, 19 92

Nancy A. Buckley
Notary Public, South Dakota



Readvertisement of NOTICE OF HEARING on Application No. 5649-3 to Appropriate Water

Notice is given that Steve R. Slack, Spring Creek Golf Course, 4200 South Louise, Suite 200, Sioux Falls, SD 57106 filed an application for a water permit on March 19, 1992. Water Permit No. 5649-3 appropriates 1.0 cubic feet of water per second (cfs) of groundwater (Big Sioux South Aquifer), 28 feet deep, located in the NE 1/4 NW 1/4 Section 26-T100N-R49W to irrigate 131 acres. The irrigated acres are located in the W 1/2 SW 1/4, Section 23; NW 1/4 NW 1/4, Lot 1, S 1/2 NW 1/4, NE 1/4 NW 1/4 Section 26; all in T100N-R49W. Water may be diverted from the well to a storage dam (25 acre-foot capacity) located in the N 1/2 NW 1/4 Section 26-T100N-R49W prior to being used for irrigation. The diversion rate from the dam for irrigation may be at a rate of 1.87 cfs. Readvertisement of the notice of hearing published on June 11 and 18, 1992 in the Argus Leader and Sioux Valley News is needed to correct the number of wells to be constructed. The correct number of wells is three wells (Big Sioux South), 28 feet deep, to be located in the NE 1/4 NW 1/4 Section 26-T100N-R49W. This readvertisement is to identify the correct number of wells, and to allow the diversion rate from the dam for irrigation to be 1.87 cfs. No increase in the number of acres to be irrigated or increase in the diversion rate from the wells is authorized by this readvertisement.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of readvertised Application No. 5649-3 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 September 21, 1992. 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, September 30, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. 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. The September 30, 1992, 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 September 21, 1992.

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 Eric Gronlund by September 21, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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, 46-2A-20, 46-2A-21; 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.

Robert E. Roberts, Secretary
Department of Environment and
Natural Resources
Sept. 3, 10, 1992

9641

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
 County Lincoln)

I, Sandra Lundstrom

certify that the attached printed Notice was taken
 from the SIOUX VALLEY NEWS

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

City _____ of _____ Canton _____

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

September 3

September 10, 1992

Sandra Lundstrom
 (Signature)

Bookkeeper
 (Title)

September 10, 1992
 (Date Signed)

Cost of Printing: \$72.34



Readvertisement of NOTICE OF HEARING on Application No. 5649-3 to Appropriate Water

Notice is given that Steve R. Slack, Spring Creek Golf Course, 4200 South Louise, Suite 200, Sioux Falls, SD 57106 filed an application for a water permit on March 19, 1992. Water Permit No. 5649-3 appropriates 1.0 cubic feet of water per second (cfs) of groundwater (Big Sioux South Aquifer), 28 feet deep, located in the NE 1/4 NW 1/4 Section 26-T100N-R49W to irrigate 131 acres. The irrigated acres are located in the W 1/2 SW 1/4, Section 23; NW 1/4 NW 1/4, Lot 1, S 1/2 NW 1/4, NE 1/4 NW 1/4 Section 26; all in T100N-R49W. Water may be diverted from the well to a storage dam (25 acre-foot capacity) located in the N 1/2 NW 1/4 Section 26-T100N-R49W prior to being used for irrigation. The diversion rate from the dam for irrigation may be at a rate of 1.87 cfs. Readvertisement of the notice of hearing published on June 11 and 18, 1992 in the Argus Leader and Sioux Valley News is needed to correct the number of wells to be constructed. The correct number of wells is three wells (Big Sioux South), 28 feet deep, to be located in the NE 1/4 NW 1/4 Section 26-T100N-R49W. This readvertisement is to identify the correct number of wells, and to allow the diversion rate from the dam for irrigation to be 1.87 cfs. No increase in the number of acres to be irrigated or increase in the diversion rate from the wells is authorized by this advertisement.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of readvertised Application No. 5649-3 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 of 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 September 21, 1992. The petition may be informal, but must include a statement describing

VERNON R. THORSON
 My commission expires
 January 20, 1995.

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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, September 30, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. 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. The September 30, 1992 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 September 21, 1992.

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 Eric Gronlund by September 21, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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, 46-2A-20, 46-2A-21; 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. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.
(9-3, 10)

REISSUED
SOUTH DAKOTA
WATER PERMIT No. 5649-3 FOR IRRIGATION

Date of first receipt of application March 19, 1992.

Date Soil/Water Compatibility Permit received April 6, 1992.

Date of return to applicant for corrections, amendments or changes March 23, 1992.

Date of receipt of corrected application March 25, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5649-3 to Steve R. Slack, Spring Creek Golf Course, 4200 South Louise, Suite 200, Sioux Falls SD 57106 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. 5649-3 appropriates 1.0 cubic feet of water per second (cfs) from three wells (Big Sioux South) 28 feet deep located in the NE 1/4 NW 1/4 Section 26-T100N-R49W to irrigate 131 acres. Water may be diverted to a storage dam (25 acre-feet capacity) located in the N 1/2 NW 1/4 Section 26-T100N-R49W prior to being used for irrigation. The 131 acres to be irrigated are located in the W 1/2 SW 1/4, Section 23; NW 1/4 NW 1/4, Lot 1, S 1/2 NW 1/4, NE 1/4 NW 1/4 Section 26; all in T100N-R49W.
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: March 1 - September 30.
3. The date from which applicant may claim right is March 19, 1992.
4. The date of approval of Permit No. 5649-3 is July 8, 1992.
5. One-fifth of the construction is to be completed on or before January 8, 1995.
6. All construction is to be completed on or before July 8, 1997.
7. Water is to be put to beneficial use on or before July 8, 2001.
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. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

(continued)

Reissued
Water Permit No. 5649-3
Page 2

2. The wells authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Approval of Permit No. 5649-3 authorizes construction of a dam with a storage capacity of 25 acre-feet. Maximum height of the dam must be less than 25 feet.
5. Diversion from the dam for irrigation may not exceed 1.87 cfs (840 gallons per minute) and 2 acre-feet per acre per year.

WATER MANAGEMENT BOARD

By: 

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

OCT 27 1992

date



OCT 27 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Steve R Slack
Spring Creek Golf Course
4200 S Louise, Suite 200
Sioux Falls SD 57106

Dear Mr. Slack:

Enclosed is Reissued Water Permit No. 5649-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

If you have any questions, please contact this office.

Very truly yours,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 30, 1993

Gerald F. Flannery, P.E.
Flannery Engineering Inc.
Rt 2, Box 6A
Elk Point, SD 57025

Dear Mr. Flannery:

Enclosed is some information on Water Permit No. 5649-3 for the Spring Creek Golf Course located in Sections 23 & 26-T100N-R49W in Lincoln County.

It appears that they are planning to construct the dam so it will be less than 25 feet high and have a storage capacity less than 25 acre-feet. Our Safety of Dams Rules pertain to dams that are 25 feet or more in height and have a storage capacity of 50 acre-feet or more. If the dam stored more than 25 acre-feet of water it would probably need another Water Permit.

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

Sincerely,

Timothy G. Schaal, P.E.
Natural Resources Engineer III
Water Rights Division
(605) 773-3352

enclosures

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Steve Slack -- Spring Creek Golf Course - No. 5649-3

ADDRESS: _____ COUNTY: _____

DATE: 5/26/93 TELEPHONE: _____

RE: Construction of the impoundment structure

COMMENTS:

Mr. Slack called regarding the proposed height of the impoundment structure as part of the golf course being constructed. He included in the conversation Warren (the gentleman doing the dirt work) and I likewise included Tim Schaal in the conversation.

The permit was approved for a maximum storage capacity of 25 acre feet of water and the dam height was to be less than 25 feet. The reason for the dam height was so that the dam not fall under the safety of dams rules. Mr. Slack wanted to know if the 25 feet was from the channel invert to the discharge pipe (Spillway) or to the top of the dam. Tim stated that the dam height is is considered from the top of the dam embankment to the channel invert in the drainage.

Mr. Slack stated the dam was going to be used as a cart crossing and the additional 5 feet would make a steep grade for the carts. We stated that if the dam was to be over 25 feet, it would require approval of plans and specifications in accordance with safety of dam rules. Warren asked if they constructed it so that there was a saddle in the center portion that was only 25 feet in height if that would meet the criteria. Tim said that if it was just a narrow saddle it would just be a spillway and that it wouldn't suffice. It was agreed that if 50% or more of the dam was 25 feet in height or less. the saddle would not be considered a spillway but instead the effective height of the dam and that it would be okay.

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 Lundberg



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

SPRING CREEK GOLF COURSE
STEVE SLACK
4200 S LOUISE
SIOUX FALLS SD 57106

NOTICE

RE: Violation of Water Permit No 5649-3.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 5649-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No 5649-3 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S 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 SDCL 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 5649-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

SPRING CREEK GOLF COURSE
STEVE SLACK
4200 S LOUISE
SIOUX FALLS, SD 57106

4a. Article Number

P757 566 415

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2/10/95

5. Signature (Addressee)

Steve Slack

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 ★U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 15, 1995

5649-3

Jeff Haberman
Spring Creek Country Club
PO Box 463
Harrisburg, SD 57032-0463

Dear Mr. Haberman:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. The questionnaire was completed for you following our February 13, 1995 telephone conversation. You may disregard the February 7, 1995, **Notice of Violation of Water Permit No. 5649-3.**

The questionnaire 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 Division
(605) 773-3352

Permit No. 5649-3
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, July 22, 1997 made a thorough examination of the water use system constructed by Spring Creek Golf Course of 27122 480th Ave., Harrisburg SD 57032 holder of Permit No. 5649-3, bearing the priority of March 19, 1992 authorizing the diversion of 1.0 cu. ft. per second and/or storage of 25 acre-feet of the waters of Big Sioux South Aquifer for irrigation purposes, in Lincoln County.

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

A. Works used to divert the water:

Well #1 - 22.5 feet deep with 18.5 feet of 14 inch steel casing and 4 feet of stainless steel screen; submersible pump with a 50 gpm capacity; U.S. motor rated at 5 hp.

Well #2 - 25 feet deep with 18 feet of 14 inch steel casing and 7 feet of stainless steel screen; submersible pump with a 250 gpm capacity; U.S. motor rated at 25 hp.

At the dam there is a Simons pump model no. 4559-94 with a 600 gpm capacity and a U.S. motor rated at 50 hp.

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

Lines from the wells to the dam are 2490 feet of 6 inch PVC pipe and 265 feet of 4 inch PVC pipe. Lines from the dam to the distribution system are 10 feet of 10 inch steel and 300 feet of 10 inch PVC.

C. Works used to apply water to beneficial use:

Sprinkler system

The system is in the following condition **good**. The point of diversion is located well #1 is 3430' E and 113' S; well #2 is 3430' E and 377' S; dam is 1090' E and 640' S all of the NW corner Section 26-T100N-R49W. The works are capable of diverting and conveying to the place of use 0.67 (from the wells) and 1.33 (from the dam) cu. ft. per second of water and/or storage of 25 acre feet of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

Section 23-T100N-R49W

SW¹/₄ SW¹/₄ 24 acres

Section 26-T100N-R49W

NE¹/₄ NW¹/₄ 23 acres

NW¹/₄ NW¹/₄ 38 acres

SW¹/₄ NW¹/₄ 36 acres

SE¹/₄ NW¹/₄ 5 acres

comprising a total of 126 acres of land and the license should be issued for 0.67 (from the wells) and 1.33 (from the dam) cfs and/or 25 acre-feet of storage.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none


 Lynn Beck

10-30-97
 Date

Natural Resources Engineer
 DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 5649-3

DATE OF INSPECTION: 7-22-97

Other permit(s) associated with the project: none

NAME & ADDRESS OF INSPECTION CONTACT: Jay Rezac, Spring Creek Golf Course, 27122 480th Ave., Harrisburg SD 57032 (605)743-5741. Send correspondence to Jay Riezac.

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Golf Course Maintenance

NAME & ADDRESS OF PERMIT HOLDER: Steve R. Slack/Spring Creek Golf Course 4200 South Louis, Suite 200, Sioux Falls SD 57106 (605)361-7010.

DIVERSION POINT LEGAL LOCATION: North well is 3430' E and 113' S, the south well is 3430' E and 377' S both in the NW NE Section 26; and the dam diversion is 1090' E and 640' S in the NW NW Section 26 all from the NW cr. Section 26-T100N-R49W.

WELL INFORMATION:

- 1) Well Drilling Firm: Lacey Well Drilling
- 2) No. of Wells 2
- 3) Depth(s) 22.5'; 25 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 14;14 inches
- 2) Length 18.5'; 18 feet
- 3) Type steel

Screen:

- 1) Type stainless steel
- 2) Length 4'; 7 feet
- 3) Static water level 18'; 25 feet

Pump:

- 1) Make both submersible
- 2) Model #
- 3) Size #
- 4) Capacity 50; 250 GPM

Motor:

- 1) Make both U.S. Motors

- 2) Model No. #
- 3) Horsepower rating 5; 25 hp

Pump: At the dam in the NW NW Section 26-T100N-R49W.

- 1) Make Simons
- 2) Model 4559-94
- 3) Size #
- 4) Capacity 600 GPM

Motor:

- 1) Make U.S. Motors
- 2) Model No. #
- 3) Horsepower rating 50 hp

DISTRIBUTION LINES OR CANALS: From the wells to the dam:

- 1) Type PVC 2) Size 6" 3) Length 2490 feet
- 1) Type PVC 2) Size 4" 3) Length 265 feet

From the dam:

- 1) Type steel 2) Size 10" 3) Length 10 feet
- 1) Type PVC 2) Size 10" 3) Length 300 feet

8" and 4" PVC distribution lines.

DAM INFORMATION:

- 1) Height to crest 25 feet
- 2) Height to primary spillway # feet
- 3) Height to secondary spillway # feet
- 4) Crest width 10 feet
- 5) Crest length 250 feet
- 6) Spillway length # feet
- 7) Spillway width # feet
- 8) Approx. storage # ac-ft
- 9) Approx. Storage to crest # ac-ft
- 10) Date constructed: #
- 11) Outlet tubes:
 - a) diameter 18 inches

- b) type cmp
- c) valved no
- d) valve type #
- e) location on structure #

12) Category of Dam #

13) Inspection Sheet Completed #

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

5649-3

NOT TO SCALE

hess hong TRACT 1



NOT TO SCALE

1/29-97
Lynn Beck ABCS



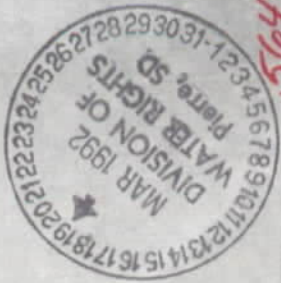
Total acres = 126

526

Lynn Beck

Lynn Beck
Natural Resources Engineer
Water Rights Program, DENR

10-29-97



5649-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5649-3

(1) Spring Golf Course, 27122 480th Ave, Harrisburg SD 57032 made Application No. 5649-3, March 19, 1992 for a water permit to divert 1.0 cubic feet of water per second (cfs) from groundwater (one well) and to authorize a 25 acre-feet storage dam located in Lincoln County, South Dakota for irrigation purposes. Permit No. 5649-3, with a priority date of March 19, 1992 was approved July 8, 1992 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 8, 1997 and for the application to beneficial use of said water on or before July 8, 2001.

The permit was readvertised on September 3 and 10, 1992 and reissued October 27, 1992 to correct the number of wells constructed and to allow the diversion rate from the dam for irrigation to be increased to 1.87 cfs.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.67 cfs (from two wells) and 1.33 cfs (from 25 acre-feet storage dam) for beneficial use. The location of the diversion points are: Well #1 - 3,430 feet east and 113 feet south (NW 1/4 NE 1/4), Well #2 - 3,430 feet east and 377 feet south (NW 1/4 NE 1/4), and the Dam - 1,090 feet east and 640 feet south (NW 1/4 NW 1/4); all from the northwest corner of Section 26-T100N-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:

Section 23-T100N-R49W		Section 26-T100N-R49W	
SW 1/4 SW 1/4	24 acres	NE 1/4 NW 1/4	23 acres
		NW 1/4 NW 1/4	38 acres
		SW 1/4 NW 1/4	36 acres
		SE 1/4 NW 1/4	5 acres
Total 126 acres			

(4) Pursuant to South Dakota Water Law 46-5-30.1 Spring Creek Golf Course, 27122 480th Ave, Harrisburg SD 57032 the holder and/or owner of Water Permit No. 5649-3 is issued a license to appropriate water, the right to divert 0.67 cfs (from two wells) and 1.33 cfs (from 25 acre-feet storage dam) with a priority date of March 19, 1992 from the location 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 Water Permit No. 5649-3 and subject to South Dakota State Law.


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

APR 23 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 1998

5649-3

Jay Rezac
Spring Creek Golf Course
27122 480th Ave.
Harrisburg, SD 57032

Dear Mr. Rezac:

The investigation of your water use system was conducted on July 22, 1997, by Lynn Beck, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 5649-3. 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.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

415670

Pierre, March 5, 19 98

RECEIVED OF Spring Creek Country Club, 27122 - 480th Ave., Harrisburg, SD 570932
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. 5649-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By _____
Chief Engineer

John Hatch



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 1998

5649-3

Spring Creek Golf Course
%Jay Riezac
27122 480th Ave.
Harrisburg, SD 57032

Dear Mr. Riezac:

Enclosed is Water License No. 5649-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415670 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. 5649-3, 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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 31, 2017

5649-3

Spring Creek Golf Club
% Jay Rezac
5010 E Havenhill Dr
Sioux Falls SD 57110-5604

Dear Sir:

Enclosed is a "Notice" dated October 20, 2017 concerning the 2017 irrigation questionnaire.

The notice was originally mailed to 47952 271st St, Harrisburg, SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: SPRING CREEK GOLF COURSE, JAY REZAC, 27062 479TH AVE, SIOUX FALLS, SD 57108

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5649-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5649-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5649-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: ICXHYK**

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 19, 2025

5649-3

Spring Creek Golf Course
c/o Jay Rezac
6732 E 10th St, Apt 5
Sioux Falls SD 57110

Dear Mr. Rezac:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 5649-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us