

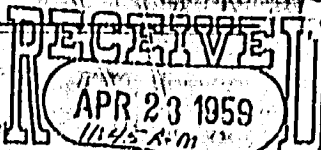
1. Considered June 17, 19 59 Appl. No. 599-3
2. Name of Applicant Doc J. and Dorothy E. Daulton
3. Post Office Address Fleming Falls, South Dakota
4. Amount of water claimed 1/3 cfs
5. Source of water supply well
6. Water to be used for irrigation
Acres to be irrigated 30
7. Water to be diverted and used in Minnehaha County about
1/2 miles west of edge of Sioux Falls
8. Proof of Publication Received ✓
 Not Received _____
9. Application Approved _____
 Subject to _____
 Not approved _____
 Action deferred _____
10. Remarks:

Received by State Engineer April 21, 1959

No. 599-3Water Division No. 3Big Sioux River

District

(Marks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

WESTWARD HO COUNTRY CLUB, INC.

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

1. Name of applicant Don J. DouthettPostoffice address Sioux FallsCounty MinnehahaState S.D.

I. If a corporation

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

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

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

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

Contract & Direct Labor(b) Cash on hand, \$ 5000.00

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Don Douthett3. Amount of water claimed 1/3

cubic feet per second

4. Source of water supply well5. Location of point of diversion Note: 290 feet east and 466.7 feet north of the SW Cor. Sec. 19, T101N, R49W

on

bank

County

6. Annual period or periods during which water is to be used April thru November

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Sprinkler(a) Number of acres to be irrigated 30 acres.(b) Legal subdivisions to be irrigated SW 1/4 Section 19-T101N-R49W

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

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

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

(a) Nature of use

Name any of the above uses claimed

(b) Amount of power to be generated

horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

Map No. 461-3

8. Estimated cost of work:

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

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

(e) Other structures

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

(b) Pumping plant, \$10,000.00

Rock, \$-----

Total, \$-----

9. Description of diversion works:

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

II. Dimensions of works:

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

material used in construction -----

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

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

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

Material -----

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

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- 5 ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- 3 ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate -----
The Argus Leader, Sioux Falls, S.D.

STATE OF SOUTH DAKOTA

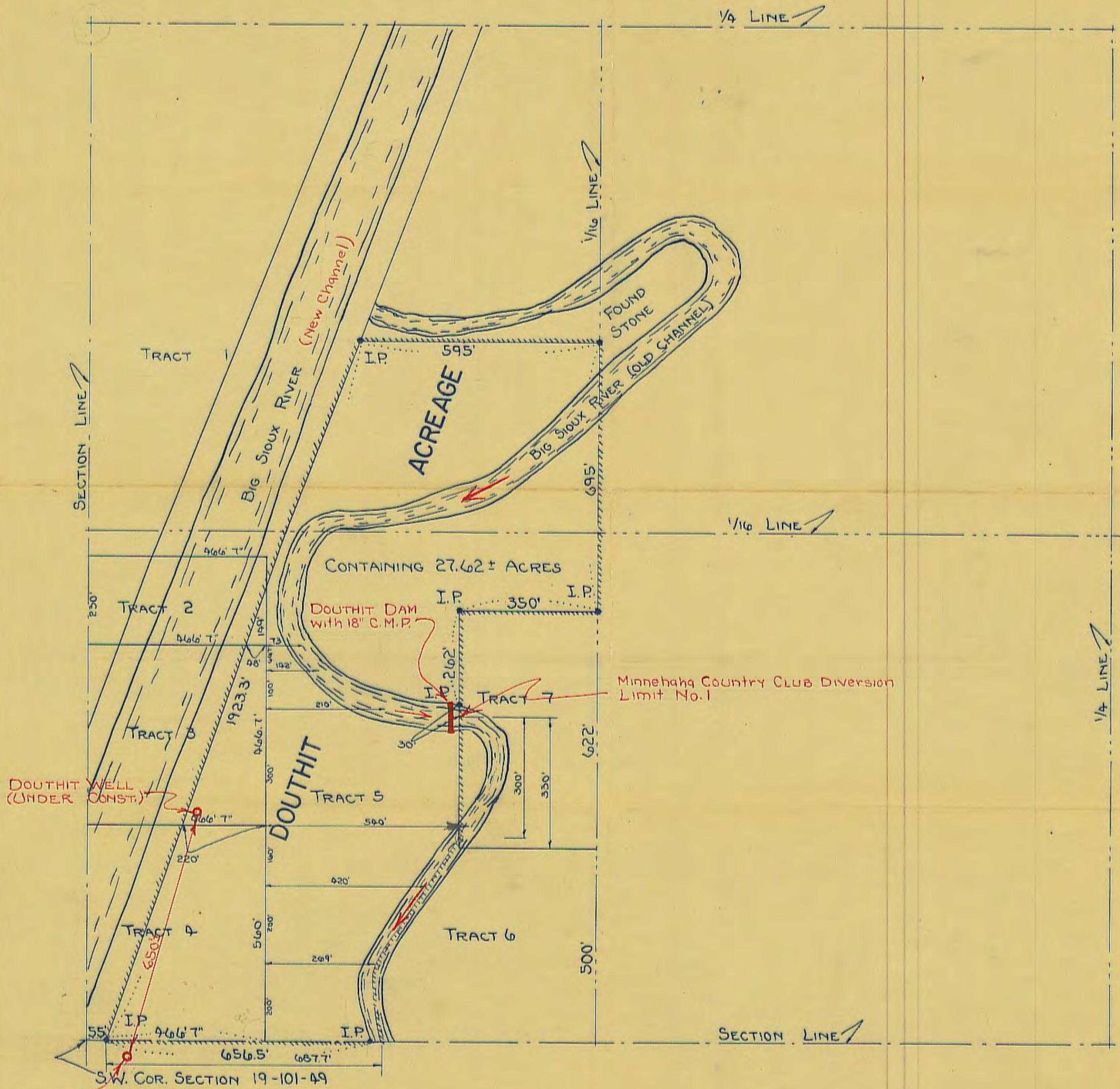
County of -----

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

Signed Dorothy B. Donahit

Subscribed and sworn to before me this 17th day of April, 1957

Alfred M. Henry
Notary Public (or other qualified officer)



DOUTHIT ACREAGE
S.W. 1/4 SECTION 19-101-49
MINNEHAHA CO., SOUTH DAKOTA
SCALE 1" = 200' SEPT. 26, 1958
 ===== BOUNDARY OF ACREAGE

Raymond Jorgenson
 RAYMOND JORGENSEN REG. LAND SURVEYOR

Map No. 461-3 (appl 599-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota,

May 11, 1959

This is to certify that the foregoing application was received by the Commission at 11:45 o'clock

9 a.m. on the 23 day of April, 1959

State Water Resources Commission

By:

J. D. Brinner

Chief Engineer, Executive Officer

Number of permit 599-3

Date of first receipt of application April 23, 1959

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right April 23, 1959

Approved June 17, 1959, Recorded in Book 5 Page 168

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

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

December 17, 1961

2nd. The whole of said work is to be completed on or before June 17, 1964

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

June 17, 1967

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

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

6th. The amount of the appropriation herein granted shall not exceed 0.33 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before June 17, 1967; said water to be used during the following described annual period:

April to November inclusive

Witness my hand this 24 day of July, 1959

State Water Resources Commission

By:

J. D. Brinner

Chief Engineer, Executive Officer

Certificate of Construction Issued September 12, 1961

Water License Issued September 12, 1961

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30", Depth 31'Type of casing Steel
(wood, concrete, steel, etc.)Size of casing 18", Thickness of casing 12 GaugeLength of casing 31 If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Dampstar millSize of perforated screen 18" (diameter), 15' (length)Thickness of gravel pack 6", length of gravel pack 31

(c) Water Bearing Materials

Distance to water 6 Character of water bearing materialsCoarse Gray Sand

Thickness of water bearing material

(d) Pump and Motor

Type of pump Centrifugal
(centrifugal, propeller, mixed flow, etc.)Name of pump CME, size 4"Kind of motor Electric
(gasoline, electric, diesel, etc.)Horsepower 1/2, Name of Motor J. C.

(e) Complete well

Capacity 1000 GPM at drawdown of 24' Estimated cost \$1000.00(f) Owner of land upon which well is located Pong J. PouititSeven Falls So. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property none rods. On property owned by others 35 rods

Permit No. **599-3**Water Division No. **3 Big Sioux River** Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That **Don J. and Dorothy B. Douthett**

of **Sioux Falls**, County of **Minnehaha**, and State of **South Dakota**, the holder of Permit No. **599-3**, issued upon application No. **599-3**, bearing date of priority of **April 23, 1959**, authorizing the diversion of **.33** cu. ft. per second of the waters of **ground water**, County of **Minnehaha**, State of South Dakota, at **a point 290' E and 466.7' N of the SW corner, Section 19, T 101N, R 49W**

for **irrigation** purposes, has **ve** fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and specified in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use **.33** cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: **a portion of the SW 1/4, Section 19, T 101N, R 49W**

Witness my hand this **12th** day of **September** A. D. 19**61**

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. ORMES

STATE OF SOUTH DAKOTA

WATER LICENSE No. 599-3

WHEREAS, On the 23rd day of April A. D. 1959
Don J. and Dorothy B. Douthit

of Sioux Falls County of Minnehaha and State of
South Dakota duly made application (No. 599-3) to us for a permit to use .33
cubic feet per second of the waters of ground water
County of Minnehaha, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 24th day of July A. D. 1959
Permit No. 599-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 17th day of
June A. D. 1961 and for the application to beneficial use of said
water on or before the 17th day of June A. D. 1967
and,

WHEREAS, On the 18th day of May A. D. 1961
the holder of said permit duly made proof of the completion of adequate works for the diversion of .33
cubic feet per second of said waters, as evidenced by our Certificate No. 599-3
dated September 12, 1961 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use .33 cubic feet per second of water, with date of
priority of April 23, 1959 and,

WHEREAS, On the 18th day of May A. D. 1961
proof was duly made of the application to beneficial use of .33 cubic feet per second of said water;
for irrigating 30 acres in the SW $\frac{1}{4}$, Section 19, T 101N, R 49W

NOW, THEREFORE, By the virtue of the Authority vested in us by the laws of the State of South Dakota,
Don J. and Dorothy B. Douthitt

We hereby grant and confirm to

of **Sioux Falls** the holder and owner of said permit No. **599-3**

a water right, dating from **April 23, 1959** to the use of **.33**

cubic feet per second of the waters of **ground water**

In the County of **Minnehaha** and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at **point 290' E and 466.7' N of**
the SW corner, Section 19, T 101N, R 49W

and conducted to and upon **30 acres in the SW 1/4, Section 19, T 101N, R 49W**

for the purpose of **irrigation**

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

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this **12th** day of **September** A. D. Nineteen
Hundred and **sixty-nine**

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. CRIMES

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

(First Publication before May 22, 1959)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., May 12, 1959

Notice is hereby given that Don J. and Dorothy B. Douthit whose postoffice address is Sioux Falls S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.33 cubic feet of water per second of time from xx ground water through the Don Douthit #1 the point of diversion of which is to be located xxxx in the Douthit Acreage xxxx of the SW of Section 19 between the old and new channels of the Big Sioux River Twp. 101 N Range 49 W / Said water to be used for the purpose of providing irrigation on the part of following described land:

The Douthit Acreage of the SW, Sec. 19, T 101 N, R 49 W
between the old and new channels of the Big Sioux River.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of June, 1959, at 2:00 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

~~Chief Engineer, Executive Officer~~**Les Wyborny, Water Rights Engineer**

cc John A. Kennedy, Publisher
The Daily Argus Leader
Sioux Falls, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Minnehaha } ss.

W. T. Haggar being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Sioux Falls 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 dates:

May 13, 1959 May 20, 1959

May 27, 1959 June 3, 1959

in each and every issue of the full number thereof, the first publication being made on the 13 day of May 1959 and the last publication on the 3 day of June 1959, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Comptroller the printer and publisher of the said newspaper.

Subscribed and sworn to before me this 3rd day of June A. D. 19 59

Eleanor Tague
Notary Public Minnehaha County, S. D.

Eleanor Tague
My Commission Expires
June 30, 1966

APPROPRIATION OF WATER
Office of State Water Resources Commission, Pierre, S. Dak., May 12, 1959.
Notice is hereby given that Don J. and Dorothy B. Douthitt whose last office address is Sioux Falls, S. D., has made an application in accordance with the provisions of the water laws of South Dakota for the appropriation for beneficial use of water per Section 19, 20, 21, and 22 of the Constitution of the State of South Dakota, in the point of diversion of which is to be located in the Douthitt Acreage of the SW 1/4 of Section 19, Twp. 101 N. Range 4 W. between the old and new channels of the Big Sioux River. Said water is to be used for the purpose of providing irrigation on part of the following described lands:
The Douthitt Acreage of the SW 1/4 Sec. 19, T. 101 N. R. 4 W. between the old and new channels of the Big Sioux River.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of June, 1959, at 2:00 p.m. All interested persons may appear and be heard.
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.
—State Water Resources Commission
By: Les Wyborny, Water Rights Engineer.
(May 13, 20, 27, June 3)

RECEIVED
JUN 13 1959

STATE WATER RESOURCES COM. I.
PIERRE, SOUTH DAKOTA

MELVIN T. WOODS
HOWELL L. FULLER
JOHN B. SHULTZ
FRANCIS M. SMITH
MERLE A. JOHNSON
ARLO O. SOMMERHOLZ

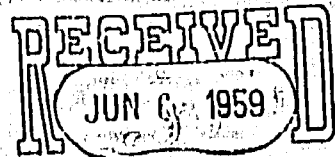
WOODS, FULLER, SHULTZ & SMITH

ATTORNEYS AND COUNSELLORS AT LAW

310 SO. FIRST AVENUE

SIOUX FALLS, SOUTH DAKOTA

June 4, 1959



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Les Wyborny, Esq.
Water Rights Engineer
Water Resources Commission
Pierre, South Dakota

Dear Mr. Wyborny:

Re: Appropriation of Water
No. 599-3 - Don J. and
Dorothy B. Douthit
Sioux Falls, S. D.

I am writing in behalf of The Minnehaha Country Club of Sioux Falls in connection with the above application, which is to be considered by the Commission on June 17, 1959, at 2:00 P. M. according to notice which has been recently published.

The Minnehaha Country Club holds Permit No. 74-3 issued August 1, 1952, for appropriation from the Sioux River, and Permit No. 346-3 issued March 22, 1957, for ground water appropriation from Minnehaha Country Club Diversion No. 3, and there is presently pending its Application No. 346-3A for appropriation of ground water through Minnehaha Country Club Diversion No. 4.

As you are probably aware, the Country Club property adjoins the Douthit property, and the Country Club accordingly protests the Douthit application to any extent by which it may interfere with the Country Club's vested and pending appropriation rights, and requests that the Douthit application be restricted to the extent necessary to protect such rights.

We shall appreciate if this protest can be considered at the time of the hearing without personal appearance on behalf of Minnehaha Country Club. However, if personal appearance is required, I shall appreciate it if you will advise us.

Very truly yours,

WOODS, FULLER, SHULTZ & SMITH

H L Fuller

June 23, 1959

Mr. H. L. Fuller
Woods, Fuller, Schultz and Smith
310 So. First Avenue
Sioux Falls, South Dakota

Dear Mr. Fuller:

I wish to advise that the Water Resources Commission at their hearing on June 17, 1959 approved the Application for a Permit to appropriate Water #599-3 submitted by Don J. and Dorothy B. Douthit (the Westward Ho Country Club).

Your letter on behalf of the Minnehaha Country Club, protesting the issuance of the aforementioned permit was read to the Commission and considered by them in taking this action.

While talking to you just prior to the meeting I concluded that your prime concern in this matter was not so much a direct objection to the granting of the Douthit permit as for the Commission to give very close consideration to the spacing of the wells and the protection of the prior rights held by the Minnehaha County Club. This they did and in their opinion there was sufficient distance between the wells to prevent interference.

However, should the Minnehaha Country Club have occasion in the future to feel that the Douthit well is interfering with any of the wells on which the Minnehaha Country Club hold a prior right, please report the conditions to the Water Resources Commission.

Any permits that are granted are granted subject to prior

H. L. Fuller

2

June 23, 1959

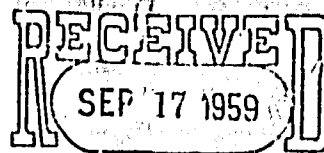
rights and I believe you are aware of your privilege to appeal the decision of the Commission should you wish to do so.

Sincerely,

Les Wyborny
Water Rights Engineer

LW:ls

cc Don J. Douthitt
% Westward Ho Country Club
Sioux Falls, South Dakota

Permit No. 599-3Big SiouxRiverWater Division No. 3

Water District

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This work must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

c/o Westward Ho Country Club
(P. O.) Sioux Falls, South Dakota

(Date) August 18, 1959

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 0.33

.....cu. ft. per second of the waters of the state from ground water
through the Don Douthit #1
for irrigation purposes

..... in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Don J. & Dorothy B. Douthit
c/o Westward Ho Country Club, Sioux Falls, South Dakota.

2. The postoffice address of such person or the place of business of such corporation is Sioux Falls
County of Minnehaha State of South Dakota

3. The number of such permit is 599-3 and the date set for the completion of such work is
September 15-1959

4. Said water to be used for irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 0.33 cubic feet per second.

6. The amount of land for which said water is available is 30 acres,
particularly described as follows: part of the SW 1/4, Section 19, T101N, R49W.

I hereby certify that the facts set forth in the above notice are true.

WESTWARD HO COUNTRY CLUB
WESTWARD HO INC.

(Signature of Owners)

Don J. Douthit (PRES.)

Dorothy B. Douthit

RECEIVED
SEP 17 1959

Permit No. 599-3

Big Sioux
River

Water Division No. 3

Water District

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

c/o Westward Ho Country Club
Sioux Falls, South Dakota
(P. O.)

(Date) August 18, 1959

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the twenty-first day of September
19 59, at Sioux Falls County of Minnehaha State of South Dakota,
before _____ proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)
of 0.33 cubic feet per second of the waters of ground water

_____ in accordance with the terms and conditions of Permit No. 599-3
heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____
Don J. and Dorothy B. Douthit, c/o Westward Ho Country Club,
Sioux Falls, South Dakota
2. The use to which said water has been applied is irrigation
3. The amount applied to beneficial use is 0.33
4. The place where said water is used is (If for Irrigation, give full and accurate description of the lands irrigated) 30 acres located in part of the SW 1/4, Sec 19, T10N, R49W
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Don Douthit #1
6. The right to take the water from such works is based upon permit No. 599-3
7. The source of supply from which such water is diverted is ground water
8. The date of priority which said user is prepared to establish is April 23, 1959

WESTWARD HO COUNTRY CLUB
WESTWARD HO INC.

Ray K. Gillett (Pres.)

(Sign)

Dorothy B. Douthit

October 1, 1959

Mr. R. P. Madel
Westward Ho Country Club
Sioux Falls, South Dakota

Dear Mr. Madel:

Your letter of September 15 requests information about water right priority relationships between your new well (Permit 599-3) and two other existing wells.

Under provisions of State law, water rights are acquired to use the public waters for specific purposes. You will note that the Permit to Appropriate Water issued to Don J. and Dorothy B. Douthit provides for irrigation use on your golf course. The water may be diverted from the supply source at one place or at more than one place. The number and location of diversion points may be changed through procedures prescribed by State law. However, the total amount of water diverted nor the area irrigated cannot be increased without obtaining new water rights.

The priority date for water use from your new well as stated in Permit 599-3 is April 13, 1959. Because this well is a development of an additional supply of water, the priority date is later than and independent of priority dates which may be established for your other two older wells.

In certain cases provisions of State law recognize beneficial water use which existed prior to July 1, 1955, the effective date of the amended water laws. Official records of these vested water uses may be and should be established by the water users. Your Country Club should establish such a record for the use of your two older wells. Forms and instructions for this purpose are enclosed. If you use water from these wells for other than irrigation purposes, state such uses in the application form. Also,

R. P. Madel

2

October 1, 1959

for irrigation purposes, water rights to more than .42 cubic feet per second cannot be obtained for irrigation of the 30 acres specified in Permit 599-3 for your new well. Of this .33 cubic feet per second is covered by this Permit. In case the total capacity of the three wells exceed .42 cubic feet per second (189 gallons per minute) you will not be able to operate all of the wells at the same time since the maximum diversion at any one time is limited to .42 cubic feet per second. The priority dates for the two older wells will be the date that water from each was first used. Both wells may be covered in the same application.

If I can help, I am always pleased to do so.

Sincerely,

J. W. GRIMES
Chief Engineer

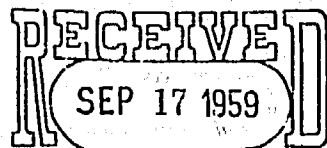
JWG:ls



Westward Ho Country Club

OPERATED BY WESTWARD HO, INC.
SIOUX FALLS, SOUTH DAKOTA

MANAGER: DON J. DOUTHIT
ASST. MANAGER: R. PETER MADEL



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

September 15, 1959

Mad
9-17-59

Water Resources Commission
State of South Dakota
Pierre, South Dakota

Gentlemen:

With reference to question #8 of the attached "Notice of Application of Water", our minimal date of priority for this water is April 23, 1959, as shown on the form. This reflects the date the Commission gave their approval to our specific well and irrigation system. However, this is not the first ground water well that has been in operation on this property; and we feel that the earlier wells might possibly affect our official priority date.

Two wells originally dug years ago are still in existence on our property. One, which entails a six-inch casing, was dug in 1918 when the army camped on the land. The other is a smaller well, but both have been used for many water-need purposes during their years of use.

Since our new well is completed, we want to get these forms on record with you ... but we also want to make our question on the priority date a matter of record before we get our final permit. We would greatly appreciate your opinion on whether our earlier wells might affect our priority date for our most recent well; and we shall look forward to having your representative visit us to examine our new system.

Very truly yours,

WESTWARD HO, INC.
R. P. Madel, Asst. Mgr

Permit No. 599-3Water Division No. 3RIO SIOUXRIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated AUG 18
 1954, I have this day made a thorough examination of the diversion works constructed by DON J +
PORTHY DOUTHITT, of SIOUX FALLS
MINNEHABA County, South Dakota, holder of Permit No. 599-3, issued
 upon Application No. 599-3, bearing date of priority of APRIL 23, 1954, authorizing the
 diversion of 1/3 cu. ft. per second of the waters of GROUND WATER for IRRIGATION
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: FAIR BANKS MORSE # 1-455544 15HP
K3B1731 100' PRESSURE

1100' of 3" MAINLINE

350' of 2.5" MAIN LATERALS

116 SINKERS 5/8" + 3/4" = 900' of 2" LATERALS 1700' of 1 1/2"

and the system is in the following condition: EXCELLENT

The point of diversion is located 210' EAST AND 400' NORTH

of the SW COR SEC 19 T14N R49W

The works are capable of diverting and conveying to the place of use 150 cu. ft. per second of water,
 which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are: SW 1/4 SEC 19 T14N R49W

comprising a total of 30 acres of land.

The domestic use intended comprises

The utilization for power, mining, or other beneficial uses comprises: ALL

Witness my hand, this 18 day of Aug, A. D. 1954.

—SEAL—

S. D. H. [Signature]
 Examining Engineer.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Date October 16, 1970

This is to notify you that title to the lands described as follows:

Portions of the SW $\frac{1}{4}$, Section 19, T101N, R49W, described in Water Permit
No. 599-3

formerly owned by Don J. and Dorothy B. Douthit

has been transferred to Westward Ho Country Club, Inc.

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 599-3 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

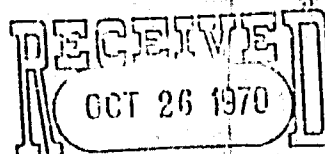
STATE OF SOUTH DAKOTA)
County of Mitchell) ss.

I, Louis T. Millette being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Louis T. Millette
(Signed)

Suscribed and sworn to before me this 22 day of October, 19 70

Shirley A. Larson
(Notary Public)



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA



599-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 17 2004

6494-3

Westward Ho Country Club Inc
PO Box 1889
Sioux Falls SD 57101

Dear Sir:

Enclosed are Water Permit and Water License No. 6494-3. The Water License is the final water right document completing your process of obtaining a Water Right.

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

Sincerely,

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

NOTE: The applicable portions of No. 599-3 are incorporated into Water License No. 6494-3.

enclosures

**SOUTH DAKOTA
WATER PERMIT NO. 6494-3**

Date of first receipt of application February 11, 2004.

Date of return to applicant for corrections, amendments or changes February 25, 2004.

Date of receipt of corrected application April 5, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6494-3 to Westward Ho Country Club, Inc., PO Box 1889, Sioux Falls SD 57101 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. 6494-3 appropriates an additional 0.34 cubic feet of water per second (cfs) by increasing the diversion rate authorized by Water Right No. 599-3. Water Right No. 599-3 was originally issued to appropriate 0.33 cfs from one well (Big Sioux:South Aquifer) 31 feet deep located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19 to irrigate 30 acres located in the W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 19; all in T101N R49W. This permit authorizes an increase in the water appropriation from the existing well from 0.33 cfs to 0.67 cfs. The number of acres now developed for irrigation from this well is 17 acres.
2. The amount of the appropriation may not exceed 3 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is February 11, 2004.
4. The date of approval of Permit No. 6494-3 is June 7, 2004.
5. 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.
2. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right No. 599-3 and Permit No. 6494-3, combined, authorize a maximum diversion rate of 0.67 cfs for the irrigation of 17 acres with an annual volume not to exceed 3 acre feet of water per acre per year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

AUG 17 2004

date



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6494-3

(1) Westward Ho Country Club, Inc., PO Box 1889, Sioux Falls SD 57101 made Application No. 6494-3, February 11, 2004 for a water permit to divert 0.34 cubic feet of water per second (cfs) from groundwater (one well), Minnehaha County, South Dakota for irrigation purposes. Permit No. 6494-3, with a priority date of February 11, 2004 was approved June 7, 2004 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of water completed.

Water Right No. 599-3 with a priority date of April 23, 1959 authorizes 0.33 cfs from one well to irrigate the portions of the golf course. No. 6494-3 with a priority date of February 11, 2004 authorizes an additional 0.34 cfs from the existing well. The applicable portions of No. 599-3 have been incorporated into No. 6494-3.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Incorporated Water Right No. 6494-3 is issued a license, bearing priority dates of April 23, 1959 (0.33 cfs) and February 11, 2004 (0.34 cfs) to appropriate 0.67 cubic feet of water per second from groundwater (one well) to irrigate 17 acres.

The diversion point is located: Well # 4 - 650 feet north and 290 feet east of the southwest corner (SW ¼ SW ¼) of Section 19-T101N-R49W. The acres authorized for irrigation are as follows:

Section 19-T101N-R49W	
NW ¼ SW ¼	2 acres
SW ¼ SW ¼	15 acres
Total 17 acres	

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6494-3 including the following now applicable qualifications:

- 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.
- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right No. 599-3 and Permit No. 6494-3, combined, authorize a maximum diversion rate of 0.67 cfs for the irrigation of 17 acres with an annual volume not to exceed 3 acre feet of water per acre per year.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year

Garland Erbele

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

AUG 17 2004

date

