

WATER PERMIT NO. 6296-3

Name of Applicant: Lenkota Country Club

Address: Box 495, Lennox SD 57039

Phone: 605 647-5335

Amount of Water Claimed: 0.78 cfs

Total Acres: 35

Source of Water Supply: dugout

Water to be used for: irrigation

County: Lincoln

Type of Waste Disposal System:

Location: ½ west of Lennox

PRIORITY

Date Received: 2-4-02

Fee: \$150

Corrected Application Received:

Period of Annual Use: March 1 – November 30

Remarks:

Diversion Point: SW ¼ SE ¼ Sec 31-T99N-R51W

Land to be Irrigated: E ½ SE ¼, SE ¼ SE ¼,
Sec 31-T99N-R51W

Depth of Well: NA

Well Driller: : NA

Remarks:

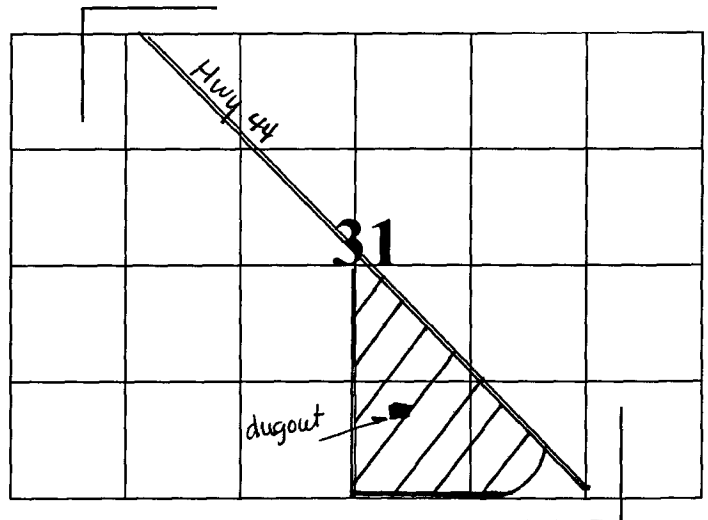
Type of Map: aerial

Prepared by: Peggy Olson, Lincoln Co. FSA

Reviewed and the Number Assigned on: 2-4-02

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 6296-3**

Date of first receipt of application February 4, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6296-3 to Lenkota Country Club, Box 495, Lennox SD 57039 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. 6296-3 appropriates 0.78 cubic feet of water per second (cfs) from a dugout (storage capacity of approximately 5 acre feet of water) to irrigate 35 acres at a golf course. The dugout is supplied water from a spring as well as snowmelt and storm events in the watershed. The dugout is located in the SW ¼ SE ¼ Section 31 on a tributary to Long Creek and will irrigate 35 acres located in the W ½ SE ¼, SE ¼ SE ¼ Section 31; all in T99N-R51W. Treated water from the Lennox wastewater facility may also be used to maintain the dugout and used for watering the golf course.
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: March 1 – November 30.
3. The date from which applicant may claim right is February 4, 2002.
4. The date of approval of Permit No. 6296-3 is March 25, 2002.
5. One-fifth of the construction is to be completed on or before September 25, 2004.
6. All construction is to be completed on or before March 25, 2007.
7. Water is to be put to beneficial use on or before March 25, 2011.
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. 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, Permit No. 6296-3 authorizes a maximum diversion rate of 0.78 cfs for the irrigation of 35 acres with an annual volume not to exceed 3 acre-feet of water per acre per year.
2. Water Permit No. 6296-3 authorizes a dugout with a storage capacity of approximately 5 acre feet of water.
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

APR 09 2002

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only) No. <u>6296-3</u> Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Lennox Independent</u>

RECEIVED
FEB - 4 2002
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

- Name of Applicant Lenkota Country Club Phone 647-5335
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address Box 495 Lennox State SD 57039
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.78*CFS or 350 **GPM ***AF Total Acreage 65.65 acres
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply natural creek & spring
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) very near the
center of our property - W & S of Hwy 44 * Ex * 31-99-51
dugout - SW1/4 SE1/4 Sec 31 - T99N-R53W County Lincoln
- County or counties where water will be used Lincoln
- Annual period during which water is to be used March to November 30
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
W & S of Hwy 44 * Ex * 31-99-51	35 acres		
fairways, rough green & tees			
W1/2 SE1/4, SE1/4, SE1/4			
Sec 31 - T99N - R51W			

8. Give a description of the project. (Attach sheet if more space is needed) Dugout is fed by
runoff in spring. Dry in summer & fall. Dugout is also fed
by a natural spring. When level in dugout gets low, we use
water from Lennox waste treatment plant to have enough water.

STATE OF SOUTH DAKOTA) SS
County of Lincoln

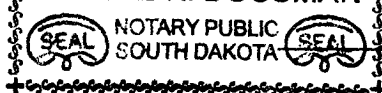
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Randy Fletcher, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Randy Fletcher

Subscribed and sworn to before me this February day of 2002

DIANNE K. BOSSMAN



Notary Public signature Dianne K. Bossman

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well: _____

On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

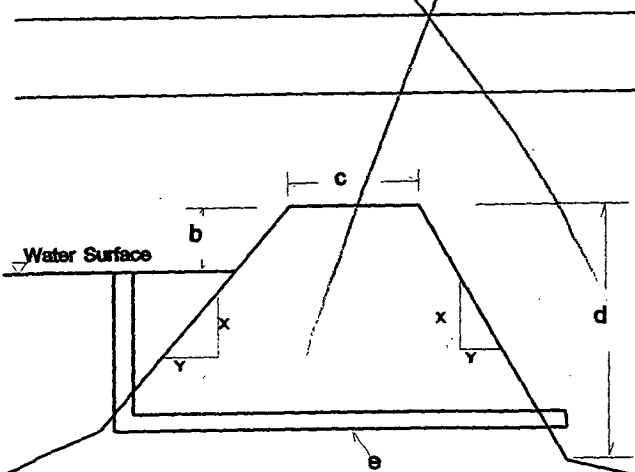
3. Dugout Information

- a) Surface Dimensions 330 ft 180 ft Depth 15 ft
110 yds by 60 yds
- b) Depth to water (ground surface to water level) 6 ft when dugout is full

4. Water Storage Dams

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

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



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

Dugout is the
black spot right
under the word
Course on the
map.

Lincoln County FSA Office

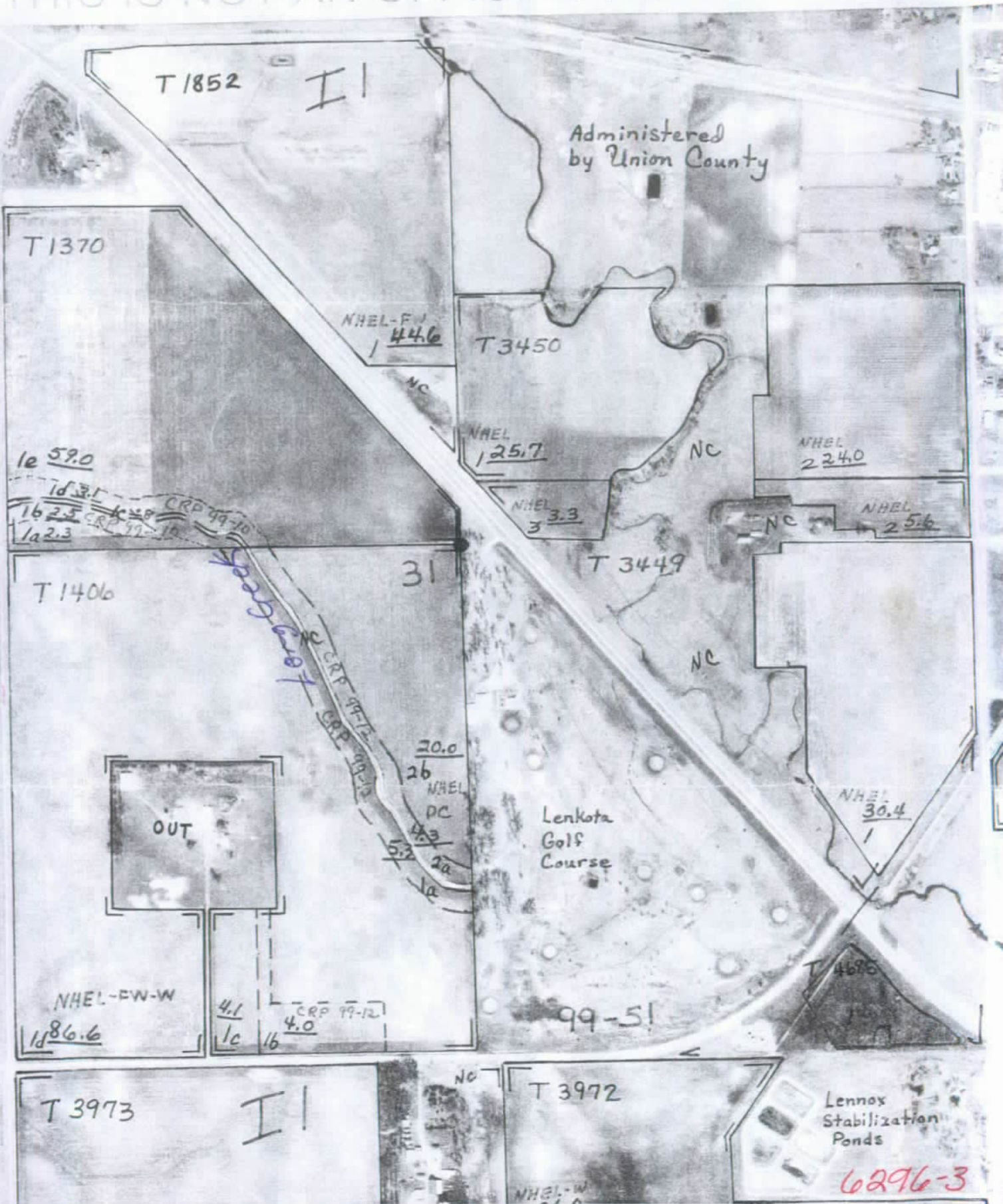
801 E. 5th St. - Suite 1
Canton, SD 57013-1920

Peggy Luen

MAP NOT TO SCALE

THIS IS NOT AN OFFICIAL WETLAND MAP.

Turner County



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

FILE 417074

Pierre, February 4, 2002

RECEIVED OF Lenkota Country Club, Box 495, Lennox, SD 57039
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 _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	200 00

By Darlene E. Stucke
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6296-3, Lenkota Country Club**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6296-3, Lenkota Country Club, c/o Randy Fletcher, Box 495, Lennox SD 57039.

The Chief Engineer is recommending APPROVAL of Application No. 6296-3 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. 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, Permit No. 6296-3 authorizes a maximum diversion rate of 0.78 cfs for the irrigation of 35 acres with an annual volume not to exceed 3 acre-feet of water per acre per year.
2. Water Permit No. 6296-3 authorizes a dugout with a storage capacity of approximately 5 acre feet of water.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 22, 2002

REPORT ON WATER PERMIT APPLICATION NO. 6296-3

Lenkota Country Club

February 13, 2002

Lenkota Country Club has filed an application for a water permit to appropriate 0.78 cubic feet of water per second (cfs) from a spring feed dugout (storage capacity of approximately five acre feet of water) located in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31 T99N-R51W. The dugout is located on a tributary to Long Creek and is used to irrigate 35 acres of the golf course located in the W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31 T99N-R51W. The Lennox wastewater ponds may also be used to maintain the dugout prior to application of water to the golf course. The applicant is requesting a diversion rate greater than 1 cfs per 70 acres.

The proposed project is located approximately 3,900 feet west of the city of Lennox in Lincoln County.

Review of the Proposed Project and Existing Water Rights

There are no water rights or water permits within a one-mile radius of the proposed project.

There are no United States Geological Survey (USGS) gauging stations located on either Long Creek or the unnamed tributary to it.

The source of water for this project is an unnamed tributary to Long Creek and a natural spring. It would be expected there would be flow in the unnamed creek during spring runoff events from snowmelt and following some rain events in the watershed. Water will be in the tributary during wet years. The unnamed creek cannot be considered a reliable water source; there will be times when water will not be available for this project. There will be water supplied by the natural spring.

When water is not available from the unnamed tributary to Long Creek, water will be supplied to the dugout from the Lennox wastewater ponds for irrigation purposes. The Surface Water Quality (SWQ) Program is working with the applicant to modify their permit with the SWQ Program. The modified permit will reflect the necessary changes so they can use the water from the Lennox wastewater ponds for application to the golf course.

The applicant has requested a rate of diversion that exceeds the standard of one cfs per 70 acres. SDCL 46-5-6 provides that the Water Management Board may allow a greater diversion, in volume or rate or both, if the method of irrigation, any time constraints on diversion of water, or the type of soil so requires. It is common that application rates for irrigation of golf courses exceed the statutory limit because of the time constraints of watering the course and type of equipment. In addition, irrigation of golf courses is for the purpose of keeping the turf green which often requires an annual volume of three-acre feet per acre delivered to the land.

The dugout may require maintenance because of sediment build up.

Conclusions

1. This application is to appropriate 0.78 cfs of water from an unnamed tributary to Long Creek and a natural spring that feeds into a dugout to irrigate 35 acres of a golf course. Water from the Lennox wastewater ponds will also be used to maintain the dugout. Use of wastewater is considered disposal and does not require a water permit.
2. There are no water rights or water permits within a one-mile radius of the proposed project.
3. There are no United States Geological Survey (USGS) gauging stations located on either Long Creek or the unnamed tributary to it.
4. The unnamed creek cannot be considered a reliable water source; there will be times when water will not be available for this project. There will also be water supplied by the natural spring.
5. The Surface Water Quality (SWQ) Program is working with the applicant to modify their permit with the SWQ Program. The modified permit will reflect the necessary changes so they can use the water from the Lennox wastewater ponds for application to the golf course.
6. The applicant has requested a rate of diversion that exceeds the standard of one cfs per 70 acres. This request is based upon the time constraints for applying water to the golf course. In addition the volume of water required may be 3-acre feet of water per acre irrigated. This request is reasonable.

Stacy J. Johnson

Stacy J. Johnson

Natural Resources Project Engineer

Reviewed by:

Lynn Beck

Lynn Beck

Natural Resources Engineering Specialist

References

Water Rights Program file, "Water Permits No. 2309-2", DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501.

Water Rights

Water Permit

Application No. 6296-3

Stacy Johnson

Dugout Information

Surface Dimensions: 330ft by 180ft Depth=15ft Depth to water=6ft

$$\text{Surface Area} = 180\text{ft} \times 330\text{ft} = 59400\text{ft}^2 = \frac{1\text{acre}}{43560\text{ft}^2} = 1.36\text{ acres}$$

Total Capacity of Dugout

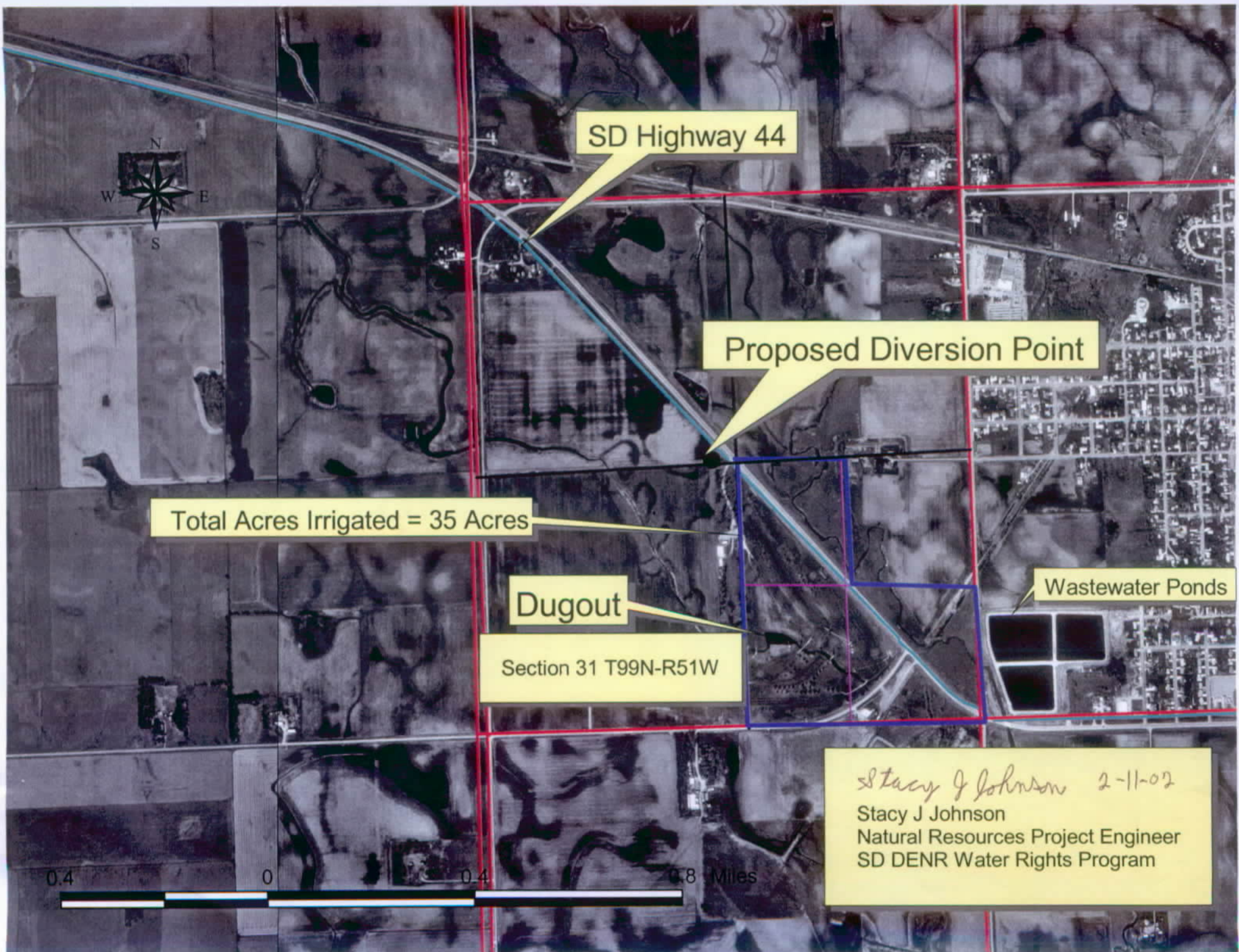
$$1.36\text{ acres} \times 15\text{ft} \times 0.4 = \underline{\underline{8.2\text{ acre-ft}}}$$

Operating Capacity of Dugout

$$1.36\text{ acres} \times 9\text{ft} \times 0.4 = \underline{\underline{4.9\text{ acre-ft}}}$$

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS





SD Highway 44

Proposed Diversion Point

Total Acres Irrigated = 35 Acres

Dugout

Section 31 T99N-R51W

Wastewater Ponds

Stacy J Johnson 2-11-02
Stacy J Johnson
Natural Resources Project Engineer
SD DENR Water Rights Program

0.4 0 0.4 0.8 Miles



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 25, 2002

Lennox Independent
PO Box 76
Lennox, SD 57039-0076

ATTENTION: Legal Public Notice

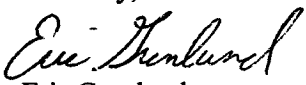
Enclosed is a Notice of Hearing on Application No. 6296-3 to Appropriate Water to be published twice. Please publish the first notice on March 7, 2002 with the second publication 7 days later.

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 Lenkota Country Club, % Randy Fletcher, Box 495, Lennox, SD 57039 (Ph # 605-647-5335).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 6296-3

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

Date _____

We are in receipt of your letter of February 25, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 6296-3 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 57501-3182
www.state.sd.us/denr

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

February 25, 2002

Lenkota Country Club
% Randy Fletcher
Box 495
Lennox, SD 57039

Dear Mr. Fletcher:

Water Permit Application No. 6296-3 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 Lennox Independent printed at Lennox, SD (Ph # 605-647-2284). You will need to contact the newspaper and authorize publication of this notice. 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 newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has also 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.

Instruction to Newspaper - Publish first Notice on March 7, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6296-3 to Appropriate Water

Notice is given that Lenkota Country Club, Box 495, Lennox SD 57039 has filed an application for a water permit to appropriate 0.78 cubic feet of water per second (cfs) from a dugout (storage capacity of approximately 5 acre feet of water) to irrigate 35 acres at a golf course. The dugout is supplied water from a spring as well as snowmelt and storm events in the watershed. The dugout is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31 on a tributary to Long Creek and will irrigate 35 acres located in the W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31; all in T99N-R51W. Treated water from the Lennox wastewater facility may also be used to maintain the dugout and used for watering the golf course. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6296-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 March 25, 2002.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA }
COUNTY OF LINCOLN } SS.

Debbie Schmidt

being first duly sworn, disposes and says: That (he) (she) is a resident of the County of Lincoln and State of South Dakota; that the LENNOX INDEPENDENT is a weekly legal newspaper of general circulation, printed and published in Lennox, in said County and State, and is now, and has been such newspaper continuously, during all the times herein-after mentioned; that the affiant is affiliated with said newspaper as employer or employee and has personal knowledge of all the facts stated in this affidavit, and the notice and advertisement headed _____

Notice of Application

a printed copy of which is hereonto attached and made a part hereof, was printed and published in the said newspaper 2 successive issues. That the first publication of said notice in said newspaper aforesaid was on Thursday, the 7 day of Mar. A.D., 20 02 and that the succeeding publication was severally
on Thursday the 14 day of Mar. A.D., 20 02
on Thursday the ____ day of _____ A.D., 20 ____
on Thursday the ____ day of _____ A.D., 20 ____
on Thursday the ____ day of _____ A.D., 20 ____
on Thursday the ____ day of _____ A.D., 20 ____
on Thursday the ____ day of _____ A.D., 20 ____
that the fees charged for the printing and publication of said notice and advertisement in said newspaper as aforesaid were 41 Dollars 51 Cents, and that said fees for the printing and publishing of said notice and advertisement, and for the affidavit as aforesaid, have been fully paid; that the full amount of the fee charged for the publishing of the said attached and annexed notice and advertisement inures to the benefit of the publishers of the said Lennox Independent, that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person, whomsoever.

Subscribed and sworn to before me this 21 day of

Mar., 20 02.

Debbie Schmidt
Notary Public

Lincoln County, South Dakota

My Commission expires July 10, 20 03.

NOTICE OF APPLICATION

NO. 6296-3 to Appropriate Water

Notice is given that Lenkota Country Club, Box 495, Lennox SD 57039 has filed an application for a water permit to appropriate 0.78 cubic feet of water per second (cts) from a dugout (storage capacity of approximately 5 acre feet of water) to irrigate 35 acres at a golf course. The dugout is supplied water from a spring as well as snowmelt and storm events in the watershed. The dugout is located in the SW 1/4 SE 1/4 Section 31 on a tributary to Long Creek and will irrigate 35 acres located in the W 1/2 SE 1/4, SE 1/4 SE 1/4 Section 31; all in T99N-R5 1W. Treated water from the Lennox wastewater facility may also be used to maintain the dugout and used for watering the golf course. The applicant is requesting a diversion rate greater than the statutory limit of 1 cts per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6296-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 March 25, 2002.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. (3-7, 14)

RECEIVED

MAR 25 2002

WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 09 2002

Randy Fletcher
Lenkota Country Club
Box 495
Lennox, SD 57039

Dear Mr. Fletcher:

Enclosed is Water Permit No. 6296-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

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

Date 5-29-02

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED
MAY 31 2002
WATER RIGHTS
PROGRAM

FROM: Randy Elster Leubata CC
(name)
600 W 8th
(address)
Leannoy SD 57039 605-647-5311
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

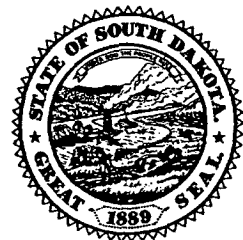
Water Permit No. 69963 states that the water use system is to be constructed by
March 25 2007, and water is to be put to beneficial use by March 25, 2007
(date) (date)

The water use system was completed on Nov 2001
(date)

Applying the water to beneficial use was completed on April 2002
(date)

You may schedule an investigation so that the water license may be issued.

Randy Elster
(signature)





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: LENKOTA COUNTRY CLUB, RANDY FLETCHER, BOX 495, LENNOX, SD 57039

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6296-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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) 6296-3 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 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) 6296-3 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 on/or before **February 28, 2003**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



Track & Confirm

Delivery Status

You entered 2301 0370 0000 7541 3862

Your item was delivered at 2:18 pm on January 22, 2003 in LENNOX, SD 57039. The item was signed for by L SHAY.

[Shipment History >](#)

[Request Delivery Record >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)



POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)
Copyright © 1999-2002 USPS. All Rights Reserved. Terms of Use Privacy Policy

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 3862

LENKOTA COUNTRY CLUB
RANDY FLETCHER
BOX 495
LENNOX SD 57039

Postmark
Here

POSTAL CUSTOMER:

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

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail
☐ Package Services

(See Reverse)

PS Form 153, February 2001



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 21, 2003

6296-3

Joel Begeman
Lenkota Country Club
Box 495
Lennox SD 57039

Dear Mr. Begeman:

I am returning the 2002 irrigation questionnaire you submitted. In order for the questionnaire to be considered complete, you will need to fill out the back page of the form.

Please write in the number of acres irrigated, pump rate (gpm), days per month and average hours per day for each month that irrigation took place.

Upon completion, please return the form to our office. I am enclosing a postage paid envelope for your reply. **The questionnaire must reach us prior to the hearing date (March 5, 2003) to avoid action by the Board to suspend the water permit.**

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 5, 2003

6296-3

Joel Begeman
Lenkota Country Club
Box 495
Lennox SD 57039

Dear Mr. Begeman:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Permit No. 6296-3.

The questionnaire was post-marked prior the Water Management Board meeting and your name was deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

Permit No. 6296-3
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, October 15, 2003, made a thorough examination of the water use system constructed by Lenkota Country Club of PO Box 495, Lennox SD 57039 holder of Permit No. 6296-3, bearing the priority of February 4, 2002 authorizing the diversion of 0.78 cu. ft. per second and/or the storage of 5 acre-feet of the waters of a spring and local runoff as well as treated water from the Lennox wastewater facility for irrigation purposes, in Lincoln County.

Inspection contact & relationship **Randy Fletcher**
to permit holder, if applicable:

A. Works used to divert the water:

Dam Information:

- 1) Approx. surface area 1.4 acres
- 2) Approx. storage 5 ac-ft

Pump:

- 1) Make Griswald
- 2) Model
- 3) Size
- 4) Capacity 350 GPM

Motor:

- 1) Make
- 2) Model No.
- 3) Horsepower rating 30 hp

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

- | | | |
|--------------------|-------------------------|----------------------|
| 1) Type <u>pvc</u> | 2) Size <u>2</u> inches | 3) Length _____ feet |
| 1) Type <u>pvc</u> | 2) Size <u>3</u> inches | 3) Length _____ feet |

From wastewater ponds to golf course:

- | | | |
|--------------------|-------------------------|----------------------------|
| 1) Type <u>pvc</u> | 2) Size <u>4</u> inches | 3) Length <u>1780</u> feet |
|--------------------|-------------------------|----------------------------|

C. Works used to apply water to beneficial use:

Sprinkler system:

- 1) Make Rainbird
- 2) Number of sprinkler heads 96
- 3) Number of zones 4
- 4) Capacity 350 GPM

Chemigation Equipment:

- 1) Does chemigate no

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes
- 3) Exceptions to compliance are: none

The system is in good condition with the point(s) of diversion located as follows: 800' N and 1945' W of the SE corner of Section 31, T99N, R51W (43.347306, -96.912974). The works are capable of diverting and conveying to the place of use 0.78 cu. ft. per second of water and/or storing 5 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 31, T99N, R51W:

NW¼ SE¼ 12 acres

SW¼ SE¼ 17 acres

SE¼ SE¼ 6 acres

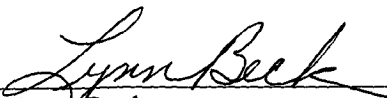
comprising a total of 35 acres of land and the license should be issued for 0.78 cfs and/or 5 acre-feet of storage.

All structures, wells and lands on map yes

Comments or other permit(s) associated with the project:

This permit allows a greater than 1 cfs per 70 acres diversion rate due to the nature of the irrigation.

Diversion is not to exceed 3 acre-feet of water per acre per year.


Lynn Beck

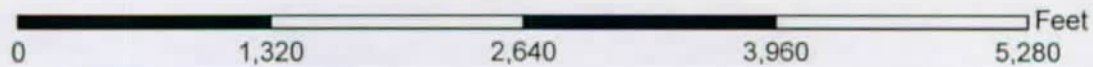
Natural Resources Engineer Specialist
DENR, Water Rights Program

Date report completed: March 22, 2004

WATER RIGHT NO. 6296-3
LENKOTA COUNTRY CLUB



SCALE



Lynn Beck
Lynn Beck
Natural Resources Engineer Specialist
DENR, Water Rights Program
March 19, 2004



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6296-3

(1) Lenkota County Club, PO Box 495, Lennox SD 57039 made Application No. 6296-3, February 4, 2002 for a water permit to divert 0.78 cubic feet of water per second (cfs) from a dugout (5 acre-feet storage capacity), Lincoln County, South Dakota for irrigation purposes. Permit No. 6296-3, with a priority date of February 4, 2002 was approved March 25, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 25, 2007 and for the application to beneficial use of water on or before March 25, 2011.

(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 Water Right No. 6296-3 is issued a license, bearing a priority date of February 4, 2002 to appropriate 0.78 cubic feet of water per second from a dugout (5 acre-feet storage capacity) to irrigate 35 acres. The dugout is supplied water from a spring and local runoff. Treated water from the Lennox wastewater facility may also be used to maintain the dugout.

The diversion point is located: 800 feet north and 1,945 feet west of the southeast corner of Section 31-T99N-R51W (SW ¼ SE ¼). The acres authorized for irrigation are as follows:

Section 31-T99N-R51W	NW ¼ SE ¼	12 acres
	SW ¼ SE ¼	17 acres
	SE ¼ SE ¼	6 acres
Total		35 acres

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6296-3 including the following now applicable qualifications:

- 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, Permit No. 6296-3 authorizes a maximum diversion rate of 0.78 cfs for the irrigation of 35 acres with an annual volume not to exceed 3 acre-feet of acre per acre per year.
- Water Permit No. 6296-3 authorizes a dugout with a storage capacity of approximately 5 acre feet of water.
- This permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

APR 23 2004

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 2004

6296-3

Lenkota Country Club
%Randy Fletcher
PO Box 495
Lennox SD 57039

Dear Mr. Fletcher:

Enclosed is Water License No. 6296-3. This 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

enclosures



6296-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: LENKOTA COUNTRY CLUB, BRUCE SHAY, PRESIDENT, BOX 495, LENNOX, SD 57039

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6296-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 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) 6296-3 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 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) 6296-3 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 on/or before **February 24, 2006**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



6296-3

Track & Confirm

Current Status

You entered 2303 2160 0000 0799 5159

Your item was delivered at 9:14 am on January 26, 2006 in LENNOX, SD 57039. The item was signed for by B SHAY.

[Shipment Details >](#)

Notification Options

- Track & Confirm by email [What is this?](#) [Go >](#)
► Request Proof of Delivery [What is this?](#) [Go >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)
Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 5159

LENKOTA COUNTRY CLUB
BRUCE SHAY, PRESIDENT
BOX 495
LENNOX SD 57039

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

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

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 153, May 2002

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-0182
www.state.sd.us/denr

February 6, 2006

6296-3

Bruce Shay
Lenkota Country Club
PO Box 495
Lennox SD 57039-0495

Dear Mr. Shay:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 6296-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

On future questionnaires, please indicate the number of days pumped each month. You have been reporting "every day except when it rains". While this statement is true, I have no idea when it rained in Lennox each year. In order for us to calculate how much water is used from a particular source, we need a more accurate figure.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

File No. 6296-3
7077-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Bruce Shay, Lenkota Country Club, PO Box 495, Lennox SD 57039

DATE: December 21, 2015 **TELEPHONE:** 605 321-3600

RE: Water use under Water Right No. 6296-3 and 7077-3

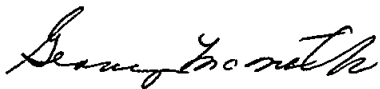
Bruce Shay had submitted an irrigation questionnaire under Water Right No. 6296-3 on November 6, 2015. He wrote in on the form that the information was for the well.

I called to ask him if he used the runoff portion as authorized under Water Right No. 6296-3. He stated they no longer use the Lennox wastewater facility to supply any water to the golf course and have not used it for at least 10 years. They use the well authorized under Water Permit No. 7077-3.

I had talked to him about scheduling Water Right No. 6296-3 for cancellation consideration since they do not use the runoff or the wastewater for irrigation. He agreed and said that would be fine.

A further review of Water Permit No. 7077-3 found the dugout authorized under No. 6296-3 can also be filled with the well water authorized under No. 7077-3. Cancellation of No. 6296-3 would potentially remove authorization for the dugout component of the system. Irrigation questionnaires will no longer be mailed for No. 6296-3 however at such time as No. 7077-3 is inspected for licensing purposes, the applicable portions (dugout) may be incorporated into No. 7077-3. This would allow an earlier priority date for the dugout portion of the system.

December 28, 2015: I called and spoke with Mr. Shay again and he confirmed they pump from the well authorized under No. 7077-3 into the dugout and irrigate from the dugout. I explained we would hold up on doing anything with No. 6296-3 until such time as 7077-3 is inspected and licensed.



Genny McMath
Water Rights Program



6296-3

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

MAY 01 2023

6296-3
7077-3

Bruce Shay
Lenkota Country Club
PO Box 495
Lennox SD 57039 0495

Dear Mr. Shay:

Enclosed is Water License No. 7077-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, 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, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,


Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Water Right No. 6296-3 were incorporated into Water License No. 7077-3.