

WATER PERMIT NO. 6530-3

Name of Applicant: Clark Golf Course

Address: 800 N Idaho, Clark SD 57225 Phone: 605 532-5871

Amount of Water Claimed: 0.056 Total Acres: 27

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Clark

Type of Waste Disposal System:

Location:

PRIORITY Date Received: 4-19-04

Application/License Fee: \$100

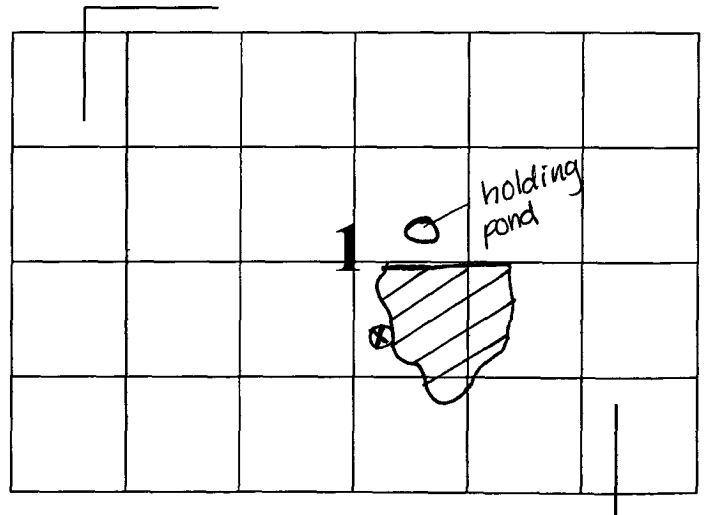
Corrected Application Received: 7-30-04

Period of Annual Use: May 1 – October 1

Remarks:

Diversion Point: NW ¼ SE ¼ Sec 1-T116N-R58W

Land to be Irrigated: N ½ SE ¼, SW ¼ SE ¼ Sec 1-T116N-R58W



Depth of Well: 50 feet deep

Well Driller: : Lacey Well Drilling

Remarks:

Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 8-2-04

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6530-3</u> (office use only) Hydrologic Unit <u>10170201</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Clark County Courier, Clark</u>

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APR 19 2004
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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.) _____

- X1. Name of Applicant Clark Golf Course Phone 605-532-5877
(check one) ☐ Owner ☒ Tenant/lessee
Mailing Address 800 N. Idaho Clark State SD 57225
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.056 *CFS or 25 **GPM ***AF Total Acreage X 2.11
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
3. Source of water supply Well 604,800 gal
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1-Well in 116-58-1-4 NW1/4 SE1/4 in 116-58-1
County Clark
5. County or counties where water will be used Clark
6. Annual period during which water is to be used May 1 - Oct 1
- X7. 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
<u>Golf Course</u>	<u>27</u>	<u>Sec 1-T116N-R58W</u>	
		<u>SW1/4 SE1/4</u>	<u>1</u>
		<u>NW1/4 SE1/4</u>	<u>19</u>
		<u>NE1/4 SE1/4</u>	<u>7</u>

8. Give a description of the project. (Attach sheet if more space is needed)

well pumped into a pond

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STATE OF SOUTH DAKOTA) SS
County of Clark

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, Robert Syring, 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 Robert Syring

Subscribed and sworn to before me this 12th day of April 2004

Jo Layne L. Symons
Notary Public signature
2-27-2007

SOUTH DAKOTA
WATER PERMIT NO. 6530-3

Date of first receipt of application April 19, 2004.

Date of return to applicant for corrections, amendments or changes April 22, 2004.

Date of receipt of corrected application July 30, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6530-3 to Clark Golf Course, 800 N Idaho, Clark SD 57225 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. 6530-3 appropriates 0.056 cubic feet of water per second (cfs) from one well to be completed into the Vermillion East Fork-Antelope Lake Aquifer (approximately 50 feet deep) located in the NW ¼ SE ¼ Section 1-T116N-R58W to irrigate 27 acres located in the SE ¼ Section 1; all in T116N, R58W. The water will be pumped from the well to a holding pond (2.11 acre-feet storage capacity) located in the SW ¼ NE ¼ Section 1-T116N-R58W. Water from the pond will be pumped at a rate of 0.89 cfs to irrigate the existing golf course. Clark Golf Course currently holds Water Right No. 6136-3 for irrigation of this same acreage from a well constructed into the Altamont Aquifer.
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: April 1- October 1.
3. The date from which applicant may claim right is July 30, 2004.
4. The date of approval of Permit No. 6530-3 is October 18, 2004.
5. One-fifth of the construction is to be completed on or before April 18, 2004.
6. All construction is to be completed on or before October 18, 2009.
7. Water is to be put to beneficial use on or before October 18, 2013.
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 well 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, Permit No. 6530-3 authorizes a maximum diversion rate of 0.89 cfs from the pond for the irrigation of 27 acres with an annual volume not to exceed 2 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

NOV 19 2004

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 28" Depth 50 ft
- b) Casing Type Steel Diameter 12" Thickness 3/p
- c) Screen Type Stainless Diameter 12" Thickness
- d) Gravel Pack Length of Gravel Pack
- e) Depth to Top of Water Bearing Material 30 ft
- f) Depth to Water (ground surface to water level) 30 ft
- g) Distance to nearest existing domestic well:

On applicants property 1000 ft

On property owned by others Unknown

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

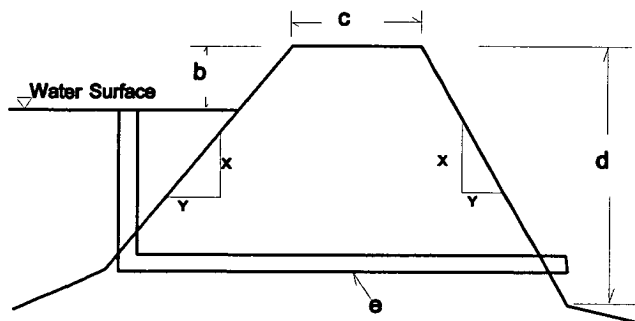
- a) Surface Dimensions Depth
- b) Depth to water (ground surface to water level)

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:

Same as last well



- 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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 19, 2004

RECEIVED OF Clark Golf Club, PO Box 176, Clark SD 57225

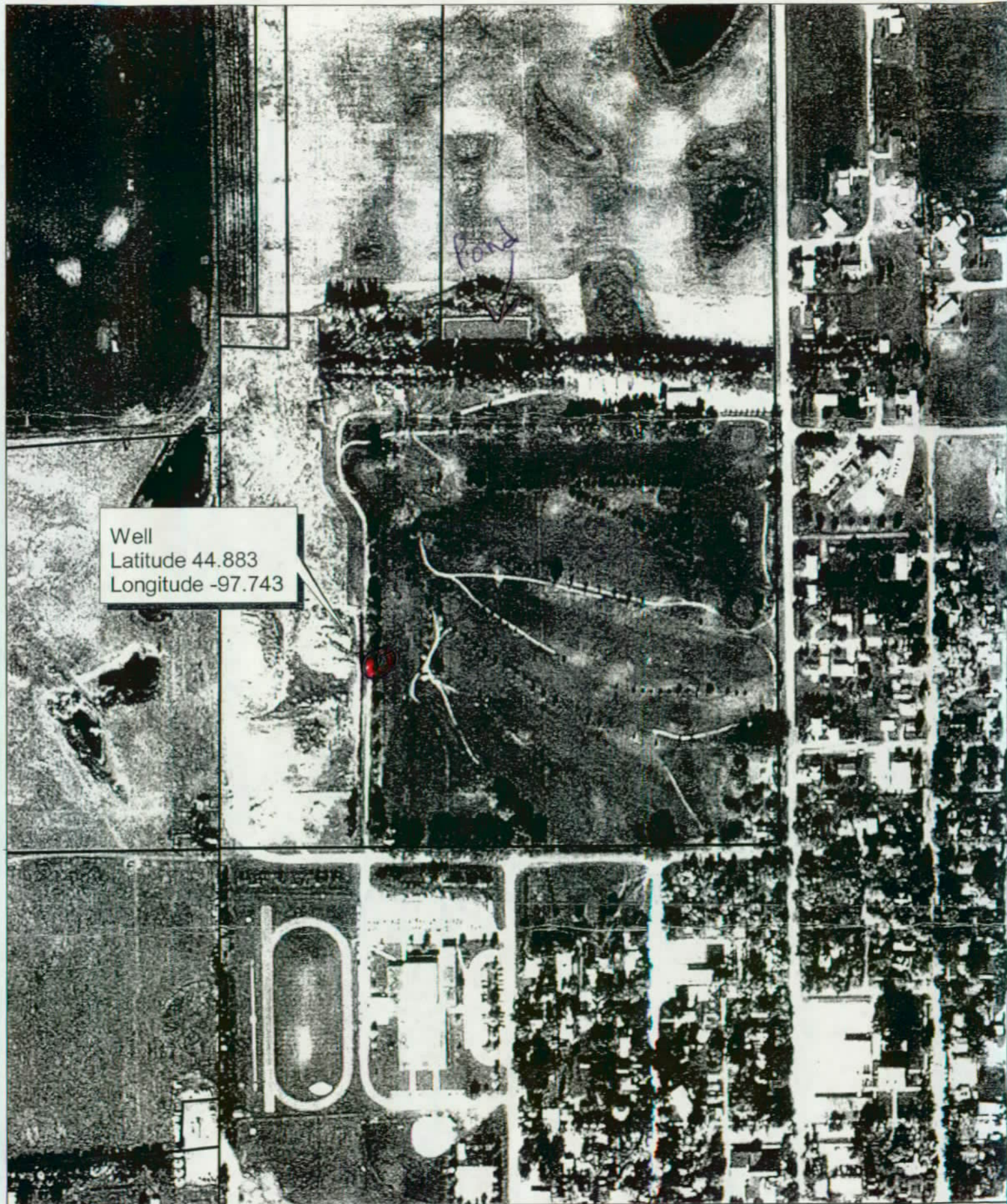
The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	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 _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	100.00

No. 004000

By

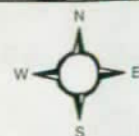
Darland Elbeke
Chief Engineer *gm*



Not to Scale
GPS Measurement
Section 1-116-58

Well
Field Reporter
for Farm Service Agency

3-26-04



Map Printed: Mar 26, 2004

6530-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 9, 2003

Clark Golf Club
800 N Idaho
Clark SD 57225

Dear Sir:

I am writing in regard to a well driller's report filed by Lacey Well Drilling Inc. The report shows a new well was completed for Clark Golf Club on February 28, 2003. A review of our files indicates that the golf club holds Water Right No. 6136-3 for 50 gallons per minute (gpm) from one well, approximately 410 feet deep (Altamont Aquifer) located in the SW ¼ NE ¼ Section 1-T116N-R58W to irrigate the golf course.

The well driller's report indicates the new well is 50 feet deep (Vermillion:East Fork Antelope Lake Aquifer). This is a different water formation than the 410 feet deep well, and therefore, would require a new water permit. Enclosed are the necessary forms for completing a new water permit application.

Also, what is the status of the 410 feet deep well? Will the well still be utilized?

If you have any questions, please contact Eric Gronlund or me. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 14, 2003

Clark Golf Club
Terry Kaufman, Manager
800 N Idaho
Clark SD 57225

Dear Mr. Kaufman:

On May 9, 2003, you were sent applications forms for a permit to appropriate water based on a well completion report. Enclosed is a copy of that letter. This application is necessary to obtain a permit which will reflect the golf club's water use. On May 22, 2003, you called indicating you would be completing the application. To date, we have not received the application.

Obtaining a water permit that accurately reflects your water use ultimately benefits you by protecting your right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352

enclosures



April 22, 2004

Robert Syring
Clark Golf Course
504 N Dakota
Clark SD 57225

Dear Mr. Syring:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation of the golf course. The application is being returned for completion of the following:

- Please complete Item No. 1.
- Please complete Item No. 2 –Total Acreage and Item No. 7. Enclosed is a copy of Water Permit No. 6136-3 authorizing a 410 feet deep well located in the SW ¼ NE ¼ Section 1 to irrigate 27 acres located in the N ½ SE ¼ Section 1; all in T116N-R58W. I am assuming this application is to irrigate the same acreage.
- The existing permit does not mention a storage pond. Please in give us some information regarding the storage ponds (size in acres or feet and the depth).
- The map needs to reference a government section corner or quarter corner. On the map, please outline the location of the storage pond. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties. The map has been signed but I do not know if this person meets the above criteria.

Also, what is the status of the 410 feet deep well authorized by Water Permit No. 6136-3. Is this well still being used for irrigation of the golf course? Is this well used to maintain the storage pond also?

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

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**DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

July 14, 2004

Robert Syring
Clark Golf Course
504 N Dakota
Clark SD 57225

Dear Mr. Syring:

On April 19, 2004, you submitted an *Application for Permit to Appropriate Water For Irrigation* of the golf course. You were notified what additional information was required to complete the application. A copy of that letter is enclosed. To date, we have not received the required information.

Obtaining a water permit that accurately reflects water use ultimately benefits the golf course by protecting its right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352

enclosures

REPORT ON WATER PERMIT NO. 6530-3
For Clark Golf Course
September 14, 2004

Application No. 6530-3 proposes to appropriate 0.056 cfs (25 gpm) from one well approximately 50 feet deep located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 1, T116N R58W to irrigate 27 acres located in the SE $\frac{1}{4}$ of section 1; all in T116N R58W. The water will be pumped from the well to a holding pond (2.11 acre-feet storage capacity) located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 1, T116N R58W in Clark County. Water from the pond will be pumped at a rate of 0.89 cfs to irrigate the existing golf course. The applicant is requesting a diversion rate greater than the statutory limit of one cfs per 70 acres. Clark Golf Course currently holds Water Right No. 6136-3 for irrigation of this same acreage from a well constructed into the Altamont aquifer.

AQUIFER – VERMILLION EAST FORK-ANTELOPE LAKE (VEF-AL)

The Vermillion East Fork Antelope Lake is a surficial outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 34,400 acres and contains an estimated 77,400 acre-feet of recoverable water in storage in Clark County (Hedges, 1982). The aquifer extends to the north where it blends into the Vermillion East Fork Reid Lake aquifer and to the south where it blends into the Vermillion East Fork Willow Lake aquifer. Ground water movement appears to be from west to east across the area of this application (Hedges, 1982). In another report this aquifer system is described as the Prairie Coteau aquifer 1 (Hamilton, 1986). This study estimates recharge to the aquifer to average about 3.1 inches per year (16,000 acre-feet). It also estimates the entire aquifer underlies 80 square miles and contains an estimated 200,000 acre feet of water in storage in Clark County (Hamilton, 1986).

A test well log filed with this application indicates sand and gravel from three feet to 27 feet followed by fine sand from 27 to 50 feet. The completed well had a static water level of 30 feet below land surface and was capable of producing 150 gpm with a drawdown of 12 feet. This equates to a specific capacity of 12.5 gpm/ft of drawdown. This well is completed in accordance with SD Well Construction Standards.

The Water Rights Program monitors an observation well CK-78N located about three miles south of this application and completed into the Vermillion East Fork Antelope Lake aquifer. The water levels for this well should be representative of the aquifer even though it too far from this application to measure any affects of pumping. A hydrograph for this observation well is included with this report. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2004).

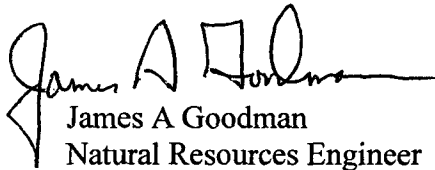
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing water right No. 6136-3 for this same system but from a different water source. There would not be any hydrologic relationship between these two ground

water sources. The City of Clark does have wells into the Vermillion East Fork Antelope aquifer but presently purchases all their water from Clark Rural Water System. The existing shallow wells (three wells) for the City of Clark are all located in the SW ¼ of section 6, T116N R57W. The nearest city well would be about one-half mile east and south of this application. Interference is not a concern. The drawdown created by pumping 25 gpm will not be significant and besides the city does not use these well anymore anyway.

CONCLUSIONS

1. Water is available from the Vermillion East Fork aquifer.
2. The aquifer is under water table conditions in this area. Interference is not a concern. Drawdown created by pumping at a rate of only 25 gpm will not be significant.
3. This permit authorizes a diversion rate from a holding pond of 400 gpm which is greater than the statutory limit of one cfs per 70 acres. This is reasonable for a golf course.
4. This well has been constructed in accordance with SD Well Construction Standards.
5. The combination of this application and water right No. 6136-3 would authorize a total diversion rate of 0.166 cfs (75 gpm) combined from the two different ground water sources into the same pond with a diversion rate of 400 gpm from the pond.



James A Goodman
Natural Resources Engineer

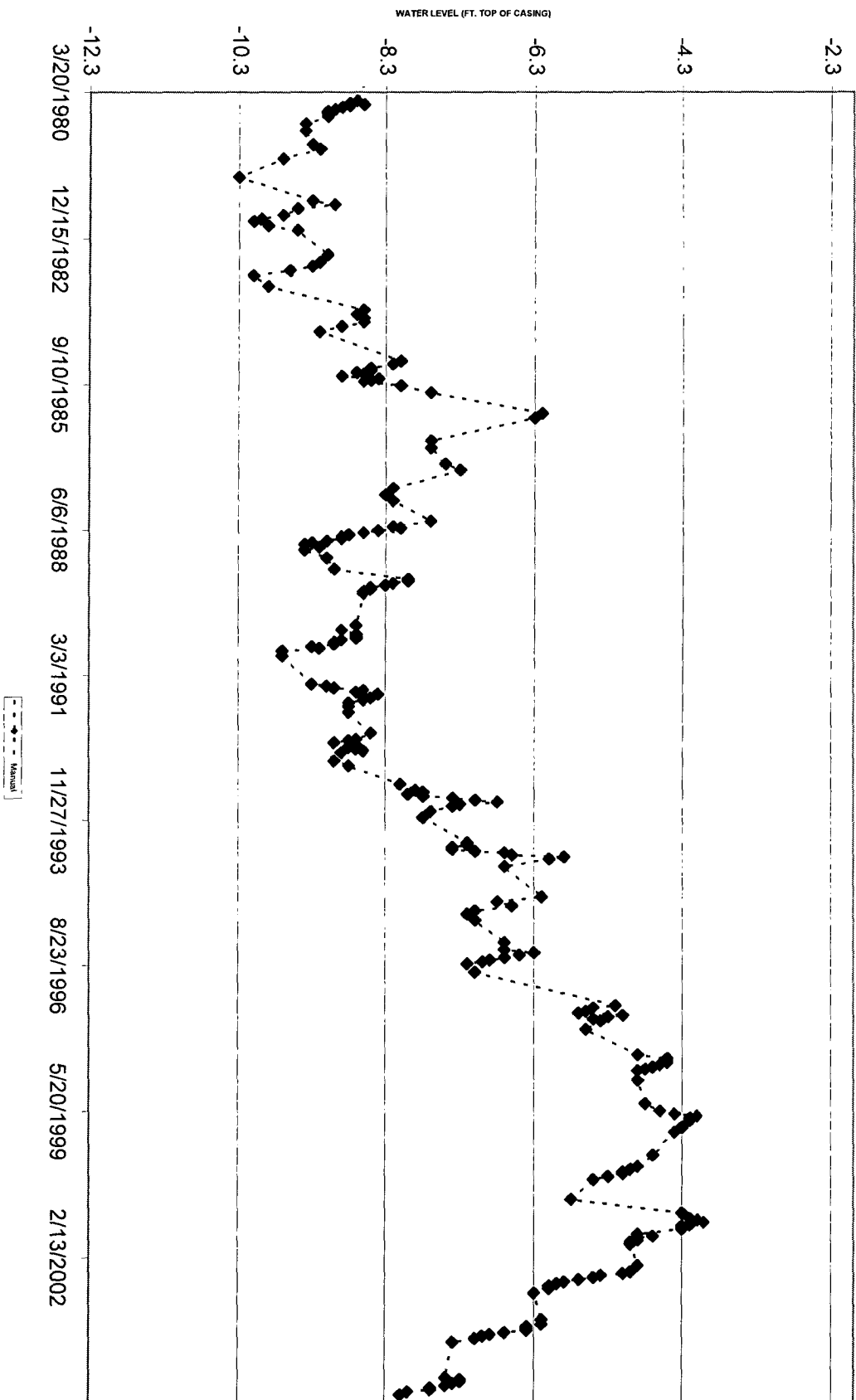
BIBLIOGRAPHY

Hamilton, L.J., 1986, Geology and Water Resources of Clark County, South Dakota, Part II Water Resources, SD DENR, SDSGS, Vermillion, SD, 57609.

Hedges, L.S., and others, 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, 2004, Unpublished Observation Well Data for the Vermillion East Fork Aquifer, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL CK-78N





**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. 6530-3, Clark Golf Course**

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. 6530-3, Clark Golf Course, c/o Robert Syring, 800 N. Idaho, Clark SD 57225.

The Chief Engineer is recommending APPROVAL of Application No. 6530-3 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 well 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, Permit No. 6530-3 authorizes a maximum diversion rate of 0.89 cfs from the pond for the irrigation of 27 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
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
September 22, 2004

**NOTICE OF APPLICATION
NO. 6530-3 to Appropriate Water**

Notice is given that the Clark Golf Course, 800 N. Idaho, Clark, S.D. 57225 has filed an application for a water permit to appropriate 0.056 cubic feet of water per second (cfs) from one well to be completed into the Vermillion East Fork-Antelope Lake Aquifer (approximately 50 feet deep) located in the NW1/4SE1/4 Section 1-T116N-R58W to irrigate 27 acres located in the SE1/4 Section 1; all in T116N-R58W. The water will be pumped from the well to a holding pond (2.11 acre-feet storage capacity) located in the SW1/4NE1/4 Section 1-T116N-R58W. Water from the pond will be pumped at a rate of 0.89 cfs to irrigate the existing golf course. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. Clark Golf Course currently holds Water Right No. 6136-3 for irrigation of this same acreage from a well constructed into the Altamont Aquifer.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6530-3 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 October 18, 2004.

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

9-29-2t

Affidavit of Publication

State of South Dakota

§

County of Clark

William J. Krikac of said county, being first duly sworn, on oath says that he is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of a least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

**NOTICE OF APPLICATION
TO APPROPRIATE WATER**

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

(two)

successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

RECEIVED

September 29, 2004

OCT 19 2004

October 6, 2004

WATER RIGHTS
PROGRAM

that the full amount of the fees for the publication of the annexed notice is

\$46.35

William J. Krikac

Subscribed and sworn to before me this

15th day of October, 2004

Kimberly L. Seefeldt

Notary Public

Clark County, South Dakota

My commission expires: 10-02-07



**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.

September 23, 2004

Clark Golf Course
%Robert Syring
504 N Idaho
Clark SD 57225

Dear Mr. Syring:

Water Permit Application No. 6530-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Clark County Courier printed at Clark, SD (Ph # 605-532-3654). 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 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. 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 September 29, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6530-3 to Appropriate Water

Notice is given that the Clark Golf Course, 800 N Idaho, Clark SD 57225 has filed an application for a water permit to appropriate 0.056 cubic feet of water per second (cfs) from one well to be completed into the Vermillion East Fork-Antelope Lake Aquifer (approximately 50 feet deep) located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1-T116N-R58W to irrigate 27 acres located in the SE $\frac{1}{4}$ Section 1; all in T116N, R58W. The water will be pumped from the well to a holding pond (2.11 acre-feet storage capacity) located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1-T116N-R58W. Water from the pond will be pumped at a rate of 0.89 cfs to irrigate the existing golf course. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. Clark Golf Course currently holds Water Right No. 6136-3 for irrigation of this same acreage from a well constructed into the Altamont Aquifer.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6530-3 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 October 18, 2004.

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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 23, 2004

Clark County Courier
119 1st Ave E
Clark SD 57225

ATTENTION: Legal Public Notice

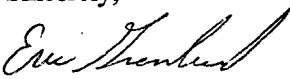
Enclosed is a Notice on Application No. 6530-3 to Appropriate Water to be published twice. Please publish the first notice on September 29, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Clark Golf Course, %Robert Syring, 504 N Idaho, Clark SD (Ph # 605-532-4128).

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. 6530-3

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

Date _____

We are in receipt of your letter of September 23, 2004 enclosing Notice to Appropriate Water by Application No. 6530-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



NOV 19 2004

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Clark Golf Course
% Robert Syring
504 N Idaho
Clark SD 57225

Dear Mr. Syring:

Enclosed is Water Permit No. 6530-3 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 12/1/04

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

FROM: Clark Golf Club

(name)

800 N. Idaho St.

(address)

Clark, SD. 57225

(city, state, zip)

532-5871

(phone)

(532-4128)

Manager

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. 6530-3 states that the water use system is to be constructed by10/18/09

(date)

, and water is to be put to beneficial use by

10/18/13

(date)

The water use system was completed on

8/1/04

(date)

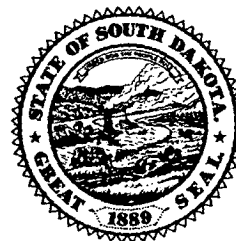
Applying the water to beneficial use was completed on

8/1/04

(date)

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

Peresa Kaufman - Manager - Clark Golf Club.
(signature)



RECEIVED
DEC - 2 2004
WATER RIGHTS
PROGRAM

Permit No. 6530-3
Vermillion 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, **June 20, 2006**, made a thorough examination of the water use system constructed by **Clark Golf Course** of **800 N Idaho, Clark, SD 57225** holder of Permit No. **6530-3**, bearing the priority of **July 30, 2004** authorizing the diversion of **0.056** cu. ft. per second of the waters of **Vermillion East Fork-Antelope Lake Aquifer** for **Irrigation** purposes, in **Clark** County.

Inspection contact & relationship **Teresa Kaufman, Mgr**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Pullman Well Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **50** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **12** inches
- 2) Length **41** feet
- 3) Type **Steel Sch 40 3/8" wall**

Screen:

- 1) Type **Stainless Steel**
- 2) Length **9** feet
- 3) Static water level **30** feet

Pump for the Well:

- 1) Make **Submersible**
- 2) Model
- 3) Size **7.5 hp**
- 4) Capacity **25** GPM

Pump for the Pond:

- 1) Make **Unknown**
- 2) Model

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Clark Golf Course

ADDRESS: 800 North Idaho

DATE: May 2, 2007 **COUNTY:** Clark **TELEPHONE:** 532-5871

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The water source is the Vermillion East Fork-Antelope Lake aquifer same as permitted with no additional water appropriated. The permit originally indicated the location of the diversion point to be in the NW ¼ SE ¼ Section 1-T116N-R58W. At the time of the inspection, the actual location of the well was in the SW ¼ NE ¼ Section 22-T118N-R59W.

- **If irrigation, no new land is irrigated**

No new land is being irrigated other than what was originally permitted.

- **Review of Existing Diversions**

The City of Clark does have wells into the Vermillion East Fork-Antelope aquifer but presently purchases its water from Clark Rural Water System. The nearest city well is approximately one-half mile south east of this well. The drawdown created by pumping 25 gpm will not be significant and the city does not use these wells anyway.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Mike DeFea,
Natural Resources Project Engineer
DENR, Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



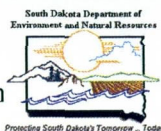
Garland Erbele, Chief Engineer
Water Rights Program

Clark Golf Course
800 N. Idaho
Clark, SD 57225

Water Permit No. 6530-3



Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
May 2, 2007



0 0.1 0.2 0.4
Miles

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6530-3

(1) Clark Golf Course, 800 N Idaho, Clark SD 57225 made Application No. 6530-3, April 19, 2004 for a water permit to divert 0.056 cubic feet of water per second (cfs) from groundwater (one well), Clark County, South Dakota for irrigation purposes. Permit No. 6530-3, with a priority date of July 30, 2004 was approved October 18, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 18, 2009 and for the application to beneficial use of water on or before October 18, 2013.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on December 2, 2004. The *Notice* stated the diversion system was completed on August 1, 2004 and the water placed to beneficial use on August 1, 2004.

An investigation conducted for licensing purposes found the well under Water Permit No. 6530-3 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.

(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. 6530-3 is issued a license, bearing a priority date of July 30, 2004 to appropriate 0.056 cfs from groundwater (one well) to be pumped into a holding pond and diverted from the pond at a rate of 0.89 cfs to irrigate 27 acres of the golf course.

The diversion point are located: Well: approximately 2,435 feet south and 2,075 feet west of the northeast corner of Section 1-T115N-R58W (SW ¼ NE ¼); Holding Pond: approximately 2,305 feet south and 1,835 feet west of the northeast corner of Section 1-T116N-R58W (SW ¼ NE ¼). The acres authorized for irrigation are as follows:

Section 1-T116N-R58W	NW ¼ SE ¼	19 acres
	NE ¼ SE ¼	7 acres
	SW ¼ SE ¼	1 acre
	Total	27 acres

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6530-3 including the following now applicable qualifications:

- The well 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, Permit No. 6530-3 authorizes a maximum diversion rate of 0.89 cfs from the pond for the irrigation of 27 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

JUN 20 2007

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

JUN 20 2007

6530-3

Clark Golf Course
800 N Idaho
Clark SD 57225

Dear Sir:

Enclosed is Water License No. 6530-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6530-3, 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.

Sincerely,

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

enclosures

50' well
RECEIVED
NOV - 6 2015
WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 6530-3

Date: 10-28-2015

I/We request that Water Right No. 6530-3

formerly owned by: Clark Golf Course, 800 N Idaho, Clark SD 57225

be transferred to: (name & address) City of Clark

120 N. Commercial St Clark, SD 57225

Telephone No. 605-532-5665

Title to the following described land(s)/property has been transferred as described above:

27 acres - SE 1/4 Section 1, T116N, R58W

I/We understand that the validity of Water Right No. 6530-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We City of Clark, the new owner, certify that the above information is true and correct.

Larry Dreher, Mayor
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/6, 20 15

RECEIVED OF City of Clark 120 N Commercial St Clark SD 57225

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	50	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 <u>6530-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **07524**

By James Hademan
Chief Engineer



6530-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

November 9, 2015

6136-3
6530-3

Larry Dreher, Mayor
City of Clark
120 N Commercial St
Clark SD 57225

Dear Mayor Dreher:

I am writing to acknowledge receipt of the ownership changes, filing fees and irrigation questionnaires for Water Right Nos. 6136-3 and 6530-3.

The ownership changes have been completed. The water rights formerly held by the Clark Golf Course and Clark Golf Club are now listed under the City of Clark.

Enclosed for your records are Receipt Nos. 07523 and 07524 in the amounts of \$50 each. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures



6530-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 14, 2022

6136-3
6530-3

Alaina Wellnitz, Finance Officer
City of Clark
120 N Commercial St
Clark SD 57225

Dear Ms. Wellnitz:

Enclosed are the two irrigation questionnaires you submitted for the golf course.

I am not sure who filled them out in the past, but they have done so for many years. Submission of completed forms is a requirement for maintaining both water rights.

Hopefully someone from the golf course would know the water use and be able to help complete the forms for you. Please have them completed and returned to our office by December 5th.

If I can answer any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures