

WATER PERMIT NO. 6618-3

Name of Applicant: Willow Run Golf LLC

Address: 8000 E Hwy 42, Sioux Falls SD 57110

Phone: 605 335-5900

Amount of Water Claimed: 0.44 cfs

Total Acres: 71 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Minnehaha

Type of Waste Disposal System:

Location: east of Sioux Falls

PRIORITY

Date Received: 4-18-05

Application/License Fee: \$275

Corrected Application Received:

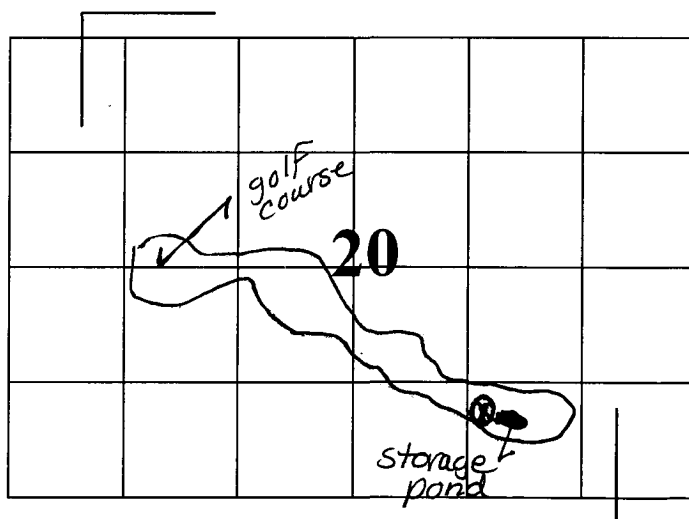
Period of Annual Use: April 1 – October 31

Remarks: Water Right No. 5055-3 authorizes irrigation of the same land from the Big Sioux River

Diversion Point: SE ¼ SE ¼ Sec 20-T101N-R48W

Land to be Irrigated: S ½ NW ¼, N ½ SW ¼, W ½

SE ¼, SE ¼ SE ¼ Sec 20-T101N-R48W



Depth of Well: 280 feet

Well Driller: : Dave Putzke Well Drilling, Inc.

Remarks:

Type of Map: aerial

Prepared by: Eugene E Preston, NRCS

Reviewed and the Number Assigned on: 4-18-05

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>6618-3</u> (office use only)
	Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>
	Newspaper <u>The Argus Leader, Sioux Falls</u>

RECEIVED
APR 18 2005
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.)
New well for irrigation pond

1. Name of Applicant Willow Run Golf, LLC Phone (605) 335-5900
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 8000 E. Hwy 42, Sioux Falls State S.D. 57110
(Street, Rte. or Box and City) (Zip Code)

2. Amount of water claimed 0.44 *CFS or 200 **GPM ***AF Total Acreage 71
(*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

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1 well in Southeast corner of Section 20-T101N-R48W
(SE1/4 SE1/4) County Minnichaha

5. County or counties where water will be used Minnichaha

6. Annual period during which water is to be used April 1 - October 31

7. 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>Same land as water</u>	<u>71</u>		
<u>rights # 5055-3</u>			

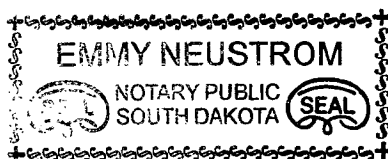
8. Give a description of the project. (Attach sheet if more space is needed)
Well for irrigation to the golf course

STATE OF SOUTH DAKOTA) SS
County of Minnichaha

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, Dave Hanten, 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 Dave Hanten
Subscribed and sworn to before me this 13 day of April 20 05



Emmy Neustrom
Notary Public signature
My Commission Expires January 2, 2008

**SOUTH DAKOTA
WATER PERMIT NO. 6618-3**

Date of first receipt of application April 18, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6618-3 to Willow Run Golf, LLC, 8000 E Hwy 42, Sioux Falls SD 57110 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. 6618-3 appropriates 0.44 cubic feet of water per second from one well completed into the Sioux Quartzite (280 feet deep) located in the SE ¼ SE ¼ Section 20 to irrigate 71 acres of the golf course located in the S ½ NW ¼, N ½ SW ¼, W ½ SE ¼, SE ¼ SE ¼ Section 20; all in T101N-R48W. Water Right No. 5055-3 authorizes irrigation of the same acreage from the Big Sioux River. Water will be pumped from the well to 3.9 acre feet storage pond and will supplement pumping from the Big Sioux River.
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 31.
3. The date from which applicant may claim right is April 18, 2005.
4. The date of approval of Permit No. 6618-3 is June 13, 2005.
5. One-fifth of the construction is to be completed on or before December 13, 2007.
6. All construction is to be completed on or before June 13, 2010.
7. Water is to be put to beneficial use on or before June 13, 2014.
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. 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

JUN 23 2005

date



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 _____

** See Water Well Completion Report by Dave Putzke.*

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 _____

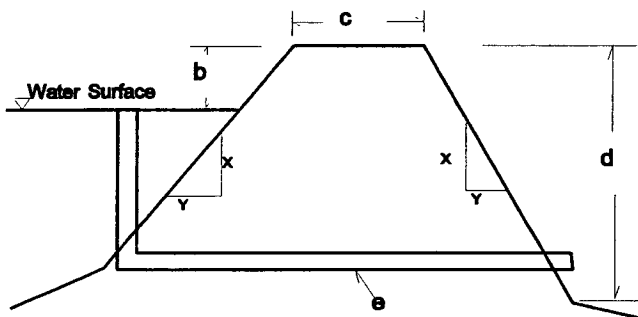
3. Dugout Information

- 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:



- 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 18, 2005

RECEIVED OF Willow Run Management Company, 8000 E Hwy 42, Sioux Falls SD 57110

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

Fee for Application for Permit No. <u>6618-3</u> to Appropriate Water, to construct and to put water to beneficial use	225	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. <u>6618-3</u>	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	275.00

No.

By

Chief Engineer

gm



Natural Resources Conservation Service

2003 Photography

Date 3/24/05

Photo location verified
Eugene E. Preston
Soil Scientist

Well Location at Willow Run Golf Course
Sec. 20, T. 101 N., R. 48 W.

0 500 1,000 2,000 3,000 4,000 Feet

6618-3



SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location Tracts 1-6 1/4 Sec 20 Twp 101N Rg 48WCounty Minnehaha

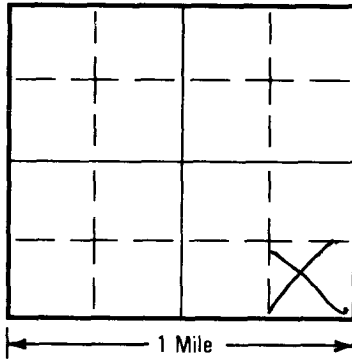
North

Please mark well location with an "X"

W

E

Well Completion Date

4-30-04

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1500 ft. from septic tank (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

RotaryCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>19.18</u> LB/FT	<u>6</u> IN	<u>0</u> FT	<u>73</u> FT	<u>10</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
_____	_____	_____ lb./gal	_____ ft.	_____ ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure Pumped up Drilling Rig
1 1/2 yds of PortlandSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: _____

NO, Why Not? _____

Chlorine Pellets

Laboratory sent to for water quality analysis _____

Well Owner: Willow Run Golf, LLC
 Business Name: Willow Run Golf Course
 Address: 8000 E. Hwy. 042
Sioux Falls, S.D. 57110

WELL LOG:

DEPTH

FORMATION

FROM

TO

<u>TOP Soil</u>	<u>0</u>	<u>2</u>
<u>yellow clay</u>	<u>2</u>	<u>73</u>
<u>Granite</u>	<u>73</u>	<u>280</u>
<u>"</u>	<u>280</u>	

STATIC WATER LEVEL 27' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ PumpedDescribe: AIR☐ Bailed☐ Other

Pumping Level Below Land Surface

160 ft. After 48 Hrs. pumped 200 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 200 GPM

REMARKS

Set test Pump 160' - Pump
48 hrs at 200 gpm - Draw Down
120'This well was drilled under license # 439

And this report is true and accurate.

Drilling firm Dave Putzke well Drilling Inc

Signature of License Representative:

Dave Putzke Inc

Signature of Well Owner or Equitable Property Holder:

[Signature]Date: 5-9-04

RECEIVED

MAY 18 2004

WATER RIGHTS PROGRAM

2-2-04



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 19, 2004

Willow Run Golf Course
c/o Dave Hanten
8000 E Hwy 42
Sioux Falls SD 57110

Dear Mr. Hanten:

A well driller's report filed by Dave Putzke Well Drilling, Inc. shows that they completed a new well for you which produced 200 gallons per minute (gpm) to be used for irrigation purposes. Based on the information in the report, it appears you need a water permit for irrigation from this well.

A review of our files indicates Water Right No. 5055-3 authorizes irrigation of 71 acres of golf course from the Big Sioux River.

Enclosed are application forms and an instruction sheet to apply for a water permit for irrigation. The completed forms with the application fee and map can be returned to the "Water Rights Program, 523 E Capitol, Pierre SD 57501".

If help is needed completing the application forms, please contact Eric Gronlund or me. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosures



October 28, 2004

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Willow Run Golf Course
c/o Dave Hanten
8000 E Hwy 42
Sioux Falls SD 57110

Dear Mr. Hanson:

On May 19, 2004, you were sent applications forms for a Permit to Appropriate Water For Irrigation based on a well completion report filed by Dave Putzke Well Drilling, Inc. Enclosed is a copy of that letter. To date, we have not received a response regarding this application.

Enclosed is another set of application forms and instruction sheet. Please complete the application and return to us by December 1, 2004.

Obtaining a water permit that accurately reflects the golf course's water use ultimately benefits 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 Eric Gronlund or me. We will be happy to help you in any way possible.

Sincerely,

Karen Schlaak

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 24, 2005

Willow Run Golf Course
c/o Dave Hanten
800 E Hwy 42
Sioux Falls SD 57110

Dear Mr. Hanten:

This letter is a reminder that on May 19 and October 28, 2004 we sent you application forms for *A Permit to Appropriate Water* based on a well completion report. To date, we have not received a response regarding this application.

Obtaining a water permit that accurately reflects your irrigation 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.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

If you have any questions, please contact me.

Sincerely,

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

REPORT ON WATER PERMIT APPLICATION NO. 6618-3
For Willow Run Golf, LLC
May 11, 2005

Application No. 6618-3 proposes to appropriate 0.44 cfs (200 gpm) from one well approximately 280 feet deep located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 20 to irrigate 71 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 20; all in T101N R48W in Minnehaha County. Water Right No. 5055-3 authorized irrigation of the same acreage from the Big Sioux River. Water will be pumped from the well to a 3.9 acre-feet storage pond and will supplement pumping from the Big Sioux River.

AQUIFER – SIOUX QUARTZITE (SOUX)

The Sioux quartzite consists of predominantly orthoquartzite with minor conglomerate and mudstone layers (Tomhave, 1994). Also, the Sioux quartzite consists predominantly of pink-coated, fine grains of quartz sand cemented to a non-porous quartzite by silica (Baldwin, 1949). The rock underlies all of Minnehaha County (815 square miles) and is locally a well fractured and jointed crystalline rock that will yield water to wells (Lindgren, 1992). Well yields typically are low but depend upon local fracturing and interconnection of fractures and joints within the rock. No estimate is available for the amount of water in storage for the Sioux quartzite aquifer. Technically, the aquifer is under artesian conditions at this site. In all likelihood the quartzite and the Big Sioux South aquifer are hydraulically connected in this area and also potentially hydraulically to the Big Sioux River.

A well log filed with the application indicates clay from the surface to 73 feet, granite (probably quartzite) from 73 to 280 feet all below land surface. The completed well had a static water level of 27 feet below land surface and was capable of producing 200 gpm after pumping 48 hours with about 120 feet of drawdown. This equates to a specific capacity of about 1.7 gpm/ft of drawdown. This is a relatively low yield but for this rock type the well is very good.

The Water Rights Program does not monitor any observation wells completed into the Sioux quartzite in this area. One monitoring well MA-80CA is located about one-half mile to the east but is completed into sand and gravel lying directly on Precambrian rock probably diabase. A hydrograph of this observation well is included with this report and it illustrates the effects of precipitation and ground water levels for this area (Water Rights, 2005). However, these water levels for this observation wells reflect general aquifer conditions and may not reflect water levels in the quartzite.

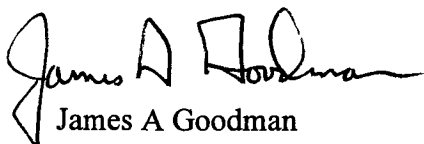
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other nearby water permits/rights that obtain water from the Sioux Quartzite. There are two existing water permits/rights No. 4974A-3 (located about two miles northwest) and No. 6553-3 (located about two miles southwest) both from the well for this application. The wells for these permits are completed into the quartzite or the

Rock Creek aquifer which overlies the quartzite. Interference is not expected to be a concern. At this distance between wells drawdown should not be significant.

CONCLUSIONS

1. Water is available from the Sioux Quartzite aquifer.
2. The aquifer is under slight artesian conditions at this site. Drawdown will be created by pumping. This is not expected to create any problems.
3. This well has been constructed in accordance with SD Well Construction Standards.
4. It is unlikely that this well will sustain a 200 gpm yield over a long period of continuous pumping. The actual specific capacity of the well is relatively small. This can only be determined by using this well for extended periods of time and under different climatic conditions.

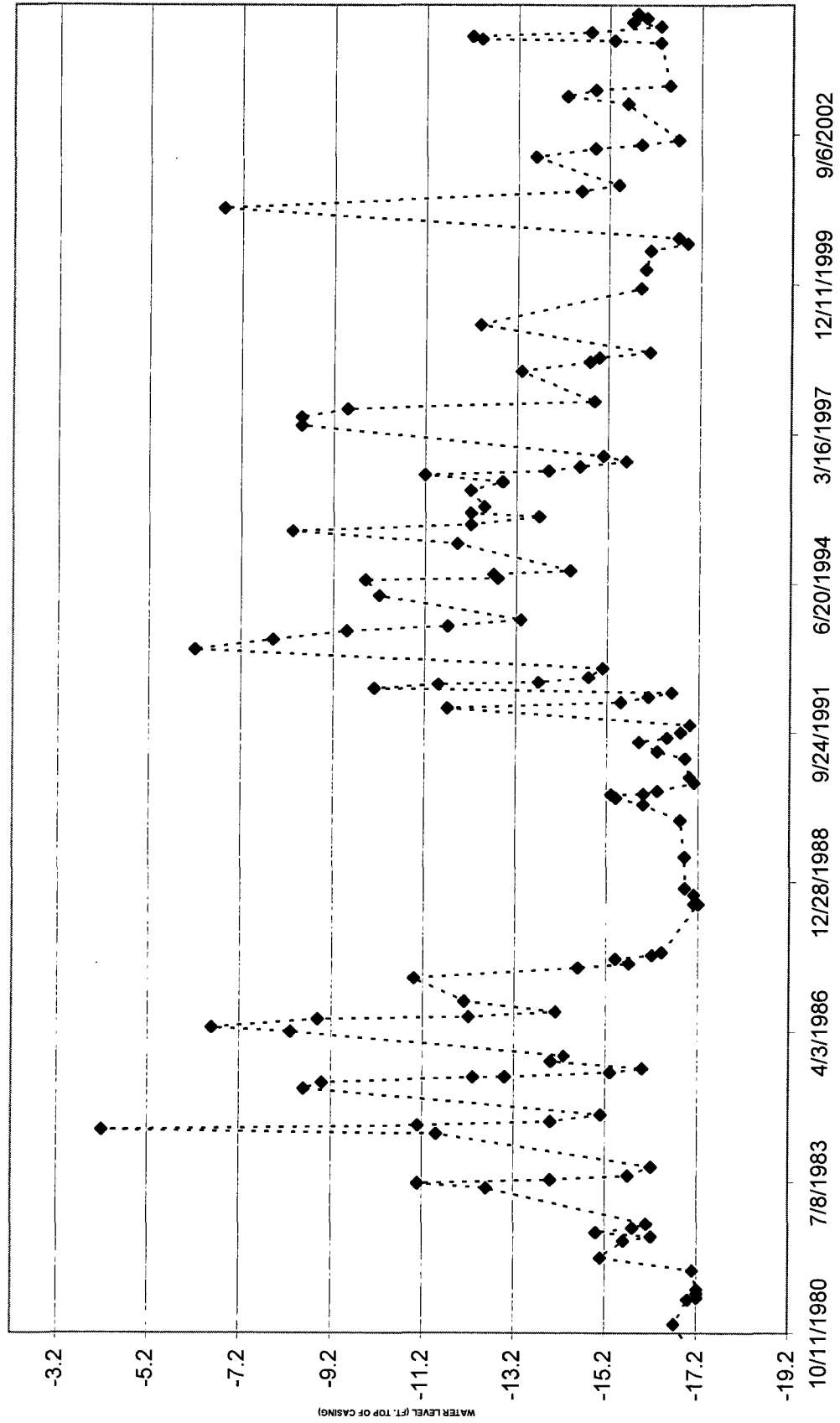


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Baldwin, B., 1949, A Preliminary Report on the Sioux Quartzite, Report of Investigations No. 63, SD DENR, SDGS, Vermillion, SD, 57069.
- Lindgren, R.J., C.A. Niehus, 1992, Water Resources of Minnehaha County, South Dakota, Water-Resources Investigations Report 91-4101, USGS, Huron, SD, 57350.
- Tomhave, D.W., 1994, Geology of Minnehaha County, South Dakota, Bulletin 37, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 2005, Unpublished Observation Well Records for Minnehaha County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL MA-80CA





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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. 6618-3, Willow Run Golf, LLC**

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. 6618-3, Willow Run Golf, LLC, c/o Dave Hanten, 800 E. Hwy 42, Sioux Falls SD 57110.

The Chief Engineer is recommending APPROVAL of Application No. 6618-3 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. 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
May 16, 2005

AFFIDAVIT OF PUBLICATION-

Customer Number: 078340

Invoice Number: 835634

DEPARTMENT OF ENVIRONMENT & NAT. RES.

Argus Leader

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

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

Wednesday, the 25 day of May 2005,

Wednesday, the 1 day of June 2005,

_____, the _____ day of _____ 2005,

_____, the _____ day of _____ 2005,

_____, the _____ day of _____ 2005,

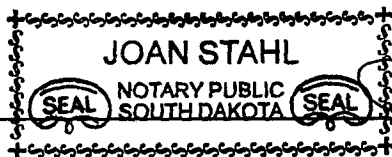
_____, the _____ day of _____ 2005,

_____, the _____ day of _____ 2005,

and that \$105.31 was charged for publishing the same including A \$5.00 affidavit fee.

Betty Jones

Subscribed and sworn to before 6/1/2005



Joan Stahl
Notary Public, South Dakota

My Commission expires June 30, 2005

NOTICE OF APPLICATION
NO. 6618-3 to Appropriate
Water

Notice is given that Willow Run Golf, LLC, c/o Dave Hanten, 800 E Hwy 42, Sioux Falls SD 57110 has filed an application for a water permit to appropriate 0.44 cubic feet of water per second from one well completed into the Sioux Quartzite (280 feet deep) located in the SE 1/4 SE 1/4, Section 20 to irrigate 71 acres of the golf course located in the S 1/2 NW 1/4, N 1/2 SW

1/4, W 1/2 SE 1/4, SE 1/4 SE 1/4, Section 20; all in T101N-101W. Water Right No. 5055-3 authorizes irrigation of the same acreage from the Big Sioux River. Water will be pumped from the well to 3.9 acre feet storage pond and will supplement pumping from the Big Sioux River.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6618-3 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 June 13, 2005.

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. Pirmer, Secretary, Department of Environment and Natural Resources.

May 25
6618-3 & June 1, 2005

RECEIVED

JUN - 3 2005

WATER RIGHTS
PROGRAM

Instruction to Newspaper - Publish first Notice on May 25, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6618-3 to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6618-3 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 June 13, 2005.

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

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

May 17, 2005

Argus Leader
PO Box 5034
Sioux Falls SD 57117-5034

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6618-3 to Appropriate Water to be published twice. Please publish the first notice on May 25, 2005 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 Willow Run Golf LLC, %Dave Hanten, 800 E Hwy 42, Sioux Falls SD (Ph # 605-335-5900).

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. 6618-3

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

Date _____

We are in receipt of your letter of May 17, 2005 enclosing Notice to Appropriate Water by Application No. 6618-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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.**

May 17, 2005

Willow Run Golf LLC
% Dave Hanten
800 E Hwy 42
Sioux Falls SD 57110

Dear Mr. Hanten:

Water Permit Application No. 6618-3 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 Argus Leader printed at Sioux Falls, SD (Ph # 605-331-2200). 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Willow Run Golf LLC
% Dave Hanten
800 E Hwy 42
Sioux Falls SD 57117-5034

Dear Mr. Hanten:

Enclosed is Water Permit No. 6618-3 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

Permit No. 6618-3
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, August 16, 2011, made a thorough examination of the water use system constructed by Willow Run Golf LLC of 8000 E Hwy 42, Sioux Falls, SD 57110 holder of Permit No. 6618-3, bearing the priority of April 18, 2005 authorizing the diversion of 0.44 cu. ft. per of the waters of an the Sioux Quartzite for Irrigation purposes, in Minnehaha County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Dave Putzke Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 280 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 6 inches
- 2) Length 73 feet
- 3) Type Steel
- 4) Static Water Level 27 feet

Pump:

- 1) Make Grundfos
- 2) Model 200S100-3
- 3) Capacity 200 GPM

Chemigation Equipment:

- 1) Does chemigate N

B. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows:

Approximately 1,015 feet north and 1,060 feet west of the SE corner of Section 20-T101N-R48W

(N 43.53191, W -96.61480) (SE ¼ SE ¼)

The works are capable of diverting and conveying to the place of use 0.44 cu. ft. per second of water which is to be used for Irrigation of the golf course.

Water has been put to beneficial use to the maximum extent as follows:

Same acreage as authorized by Water Right No. 5055-3.

comprising a total of 71 acres of land and the license should be issued for 0.44 cfs.

All structures, wells and lands on map Y

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



Mike DeFea

Natural Resources Engineer
DENR, Water Rights Program

Date report completed: September 1, 2011

Willow Run Golf LLC

Water Permit No.6618-3 and 7171-3



0 340 680 1,360 2,040 2,720 Feet

Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
September 1, 2011



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow...Today

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6618-3**

(1) Willow Run Golf LLC, 8000 E Hwy 42, Sioux Falls SD 57110 made Application No. 6618-3, April 18, 2005 for a water permit to divert 0.44 cubic feet of water per second from ground water (one well – Sioux Quartzite), Minnehaha County, South Dakota for irrigation purposes. Permit No. 6618-3, with a priority date of April 18, 2005 was approved June 13, 2005 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 13, 2010 and for the application to beneficial use of said water on or before June 13, 2014.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.44 cubic feet of water per second for beneficial use.

The location of the diversion point is 1,015 feet north and 1,060 feet west of the SE corner of Section 20, T101N, R48W (SE ¼ SE ¼). Water is pumped from the well to an existing 3.9 acre-feet storage pond prior to irrigation of the golf course.

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

T101N, R48W Section 20	SW ¼ NW ¼	15 acres
	SE ¼ NW ¼	7 acres
	NW ¼ SW ¼	5 acres
	NE ¼ SW ¼	14 acres
	NW ¼ SE ¼	14 acres
	SW ¼ SE ¼	2 acres
	SE ¼ SE ¼	14 acres
Total		71 acres

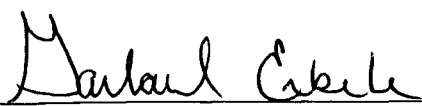
* **Water Right No. 5505-3** authorizes irrigation of the same acreage from the **Big Sioux River**;

* **Water Right No. 7171-3** authorizes irrigation of the same acreage from an unnamed tributary to the **Big Sioux River**.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Willow Run Golf LLC, 8000 E Hwy 42, Sioux Falls SD 57110 the holder and/or owner of Water Right No. 6618-3 is issued a license to appropriate water, the right to use 0.44 cubic feet of water per second from ground water (one well – Sioux Quartzite) with a priority date of April 18, 2005 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6618-3 and subject to the following 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.
- 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

SEP 08 2011
date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

SEP 08 2011

6618-3
7171-3

Dave Hanten
Willow Run Golf LLC
8000 E Hwy 42
Sioux Falls SD 57110

Dear Mr. Hanten:

Enclosed are Water License Nos. 6618-3 (Willow Run Golf LLC) and 7171-3 (Willow Run Management Company). They are the final water right documents completing your process of obtaining water rights. A map prepared by the staff engineer who conducted the field investigation is included with the licenses.

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. 6618-3, 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 Licenses, 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



6618-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: WILLOW RUN MANAGEMENT COMPANY, DAVE HANTEN, 8000 E HWY 42, SIOUX FALLS, SD 57110

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5055-3, 6618-3 & 7171-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 5055-3, 6618-3 & 7171-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** 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) 5055-3, 6618-3 & 7171-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.

6618-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 3, 2015

5055-3
6618-3
7171-3

Dave Hanten
Willow Run Golf LLC
8000 E Hwy 42
Sioux Falls SD 57110

Dear Mr. Hanten:

I am writing to acknowledge receipt of the 2014 irrigation questionnaires for the golf course.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 5055-3, 6618-3 & 7171-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

File Nos.
6618-3
7171-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Barry Anderson (Willow Run Management Co.), Sioux Falls SD

DATE: 01/16/2025

TELEPHONE: 605.261.7724

RE: Abandonment of 7171-3

COMMENTS:

Barry called after receiving my letter dated January 13, 2025. We discussed how 6618-3 & 7171-3 authorized irrigation of the same acreage from different sources. On the 2024 IQ it was reported that the system authorized by 7171-3 had been abandoned. I asked Mr. Anderson if the surface water source was maintained as a backup to the well auth. by 6618-3 and he said that it was not. The pump has been removed and the electrical wires cut. He was agreeable to cancellation of 7171-3.

During our conversation he also inquired about transferring the 6618-3 (Willow Run Golf LLC) to the name of a different management company. I said that I would send ownership transfer paperwork.



Amanda Dewell
Water Rights Program

* NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DNR, Water Rights Program
525 E. Capitol Ave
Pierre, SD 57501-3182

Water Right Permit No. 6618-3

Date: 1/24/2025

RECEIVED

JAN 27 2025

OFFICE OF
WATER

I We request that Water Right Permit No. 6618-3 formerly owned by:
Willow Run Golf LLC - Sioux Falls SD be transferred to:

New Owner Name:

GL Management LLC

Address:

8000 E Arrowhead Parkway

mobile: 605-261-7724

City, State, Zip

Sioux Falls SD 57110

email: barry.anderson@joingreatlife.com

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

Sec 20-T101N-R48W

S 1/2 NW 1/4 - 22 ac

N 1/2 SW 1/4 - 19 ac

W 1/2 SE 1/4 - 16 ac

SE 1/4 SE 1/4 - 14 ac

TOTAL: 71 acres

☒ I understand that the validity of Water Right Permit No. 6618-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right permit is valid (see note below).

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Toni Smith, the new owner, certify that the above information is true and correct.

(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, an inspection is conducted to issue a water right license for the project as developed. A water permit right may be cancelled for one or more of the following 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 Agriculture and Natural Resources

Date January 27th 2025

RECEIVED OF GL Management LLC C/O Barry Anderson 8000 E Arrowhead Pkwy Sioux Falls SD 57110

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>#6618-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Grossland
Chief Engineer

SL



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 29, 2025

6618-3

GL Management LLC
c/o Barry Anderson
8000 E Arrowhead Pkwy
Sioux Falls SD 57110

Dear Mr. Anderson:

I have received your "Notice of Transfer of Ownership" form for Water Right No. 6618-3 and the required fees. Enclosed is a receipt of payment for your records.

Water Right No. 6618-3, previously held by Willow Run Golf LLC is now listed under GL Management LLC. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the water right, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the water right will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

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

NOTE: The validity of Water Right No. 6618-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure