

WATER PERMIT NO. 6861-3

Name of Applicant: Minnehaha Country Club

Address: 3101 W 22nd St, Sioux Falls SD Phone: 605 332-2304

Amount of Water Claimed: 2.67 cfs Total Acres: 116.5 acres (no additional)

Source of Water Supply: pond

Water to be used for: irrigation County: Minnehahah

Type of Waste Disposal System:

Location:

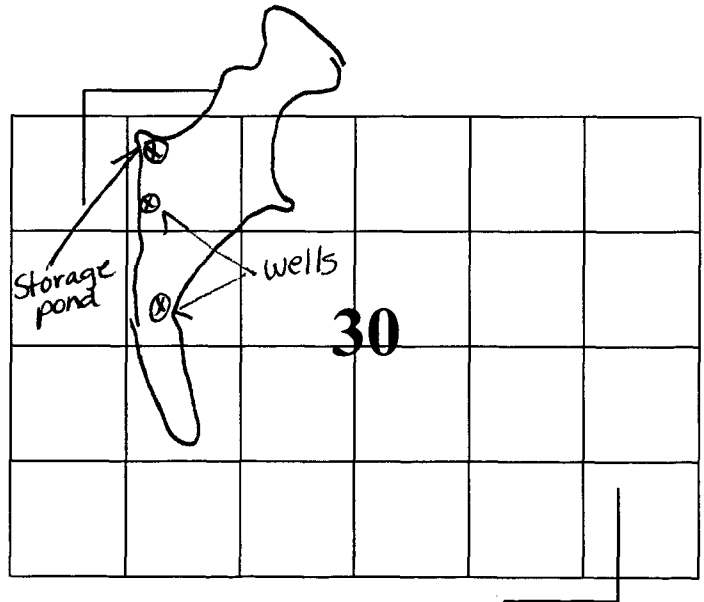
PRIORITY Date Received: 6-4-07 Application/License Fee: \$200

Corrected Application Received: Period of Annual Use: April 1 – October 31

Remarks: Water Right No. 5542-3 authorizes irrigation from 2 wells. This application proposes to divert from the wells to a pond.

Diversion Point: Pond – NW ¼ NW ¼ Sec 30-T101N-R49W

Land to be Irrigated: W ½ Sec 30-T101N-R49W



Depth of Well:

Well Driller:

Remarks:

Type of Map: plat

Prepared by: Douglas Berkland, PE

Reviewed and the Number Assigned on: 6-4-07

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

RECEIVED

JUN - 4 2007

WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6861-3</u>	(office use only) Hydrologic Unit <u>10170203</u>
	Basin <u>Big Sioux River</u>	
	Newspaper <u>Argus Leader</u>	<u>PO Box 5034 S Falls</u>
	<u>331-2200</u>	<u>57117</u>

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 5542-3
(Use predates Mar 2, 1955)

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

Intend to add a pond to the irrigation system. Water from the wells will be diverted into a pond at the permitted rate. Water from the pond will be diverted at a increased rate set forth in the application.

- Name of Applicant Minnehaha Country Club Phone (605) 332-2304
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 3101 W 22nd Street Sioux Falls State SD 57105
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 2.67 *CFS or 1,200 **GPM ***AF Total Acreage _____
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply 2 wells
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Minnehaha
Same as authorized by water License No. 5542-3 pond NW 1/4 NW 1/4 Sec 30 T1019 R49W
- County or counties where water will be used Minnehaha
- Annual period during which water is to be used April 1 - October 31
- 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
No additional - same Acreage authorized by			
Water Right No. 5542 - 3			

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

Minnehaha Country Club plans to conduct improvements to the irrigation system. This includes construction of a pond. Water from the wells will be diverted to the pond. Water from the pond will then be diverted at a rate of 1200 gpm to pressurize the irrigation system. This is necessary because of time constraints to irrigate.

STATE OF SOUTH DAKOTA) SS

County of Minnehaha

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, Steve Harner, 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 Steve HarnerSubscribed and sworn to before me this 31st day of MAY 20 07

[Signature]
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 6861-3

Date of first receipt of application June 4, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6861-3 to Minnehaha Country Club, 3101 W 22nd St, Sioux Falls SD 57105 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. 6861-3 authorizes increasing the diversion rate from a pond. Water Right No. 5542-3 authorizes 1.53 cubic feet of water per second (cfs) from two wells located in the W 1/2 NW 1/4 Section 30 to irrigate 116.5 acres of a golf course located in the NW 1/4 SW 1/4, W 1/2 NW 1/4, NE 1/4 NW 1/4 Section 30, S 1/2 SW 1/4 Section 19; all in T101N-R49W. This permit authorizes constructing a pond (approximate storage capacity of 3.5 acre feet of water) located in the NW 1/4 NW 1/4 Section 30-T101N-R49W. Water will be diverted to the pond from the 2 existing wells at the authorized diversion rate of 1.53 cfs. This permit will authorize diversion from the pond at an application rate to the irrigated land of 2.67 cfs.
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 June 4, 2007.
4. The date of approval of Permit No. 6861-3 is September 10, 2007.
5. One-fifth of the construction is to be completed on or before March 10, 2010.
6. All construction is to be completed on or before September 10, 2012.
7. Water is to be put to beneficial use on or before September 10, 2016.
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. Permit No. 6861-3 allows pumping from the two existing wells authorized by Water Right No. 5542-3 at a rate of 1.53 cubic feet of water per second into a 3.5 acre feet storage pond prior to application of water to the acreage described in Water Right No. 5542-3.
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. 6861-3 authorizes a maximum diversion rate of 2.67 cfs from the pond 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

OCT 19 2007

date



Supplemental Information

(type or print in ink)

RECEIVED

JUN - 4 2007

WATER RIGHTS
PROGRAM

1. Well Information - Proposed Construction

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

2. Wastewater Disposal System Information

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

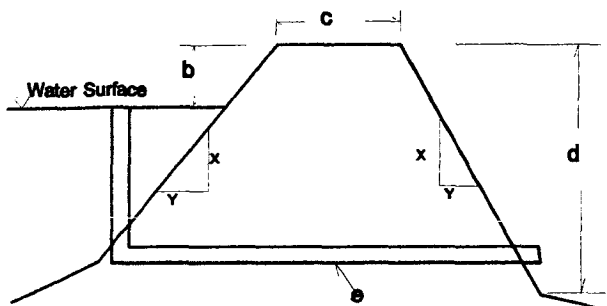
3. Dugout Information

- a) Surface Dimensions 1 surface acre _____ Depth _____ 8 feet _____
- b) Depth to water (ground surface to water level) _____ 10 feet _____

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.

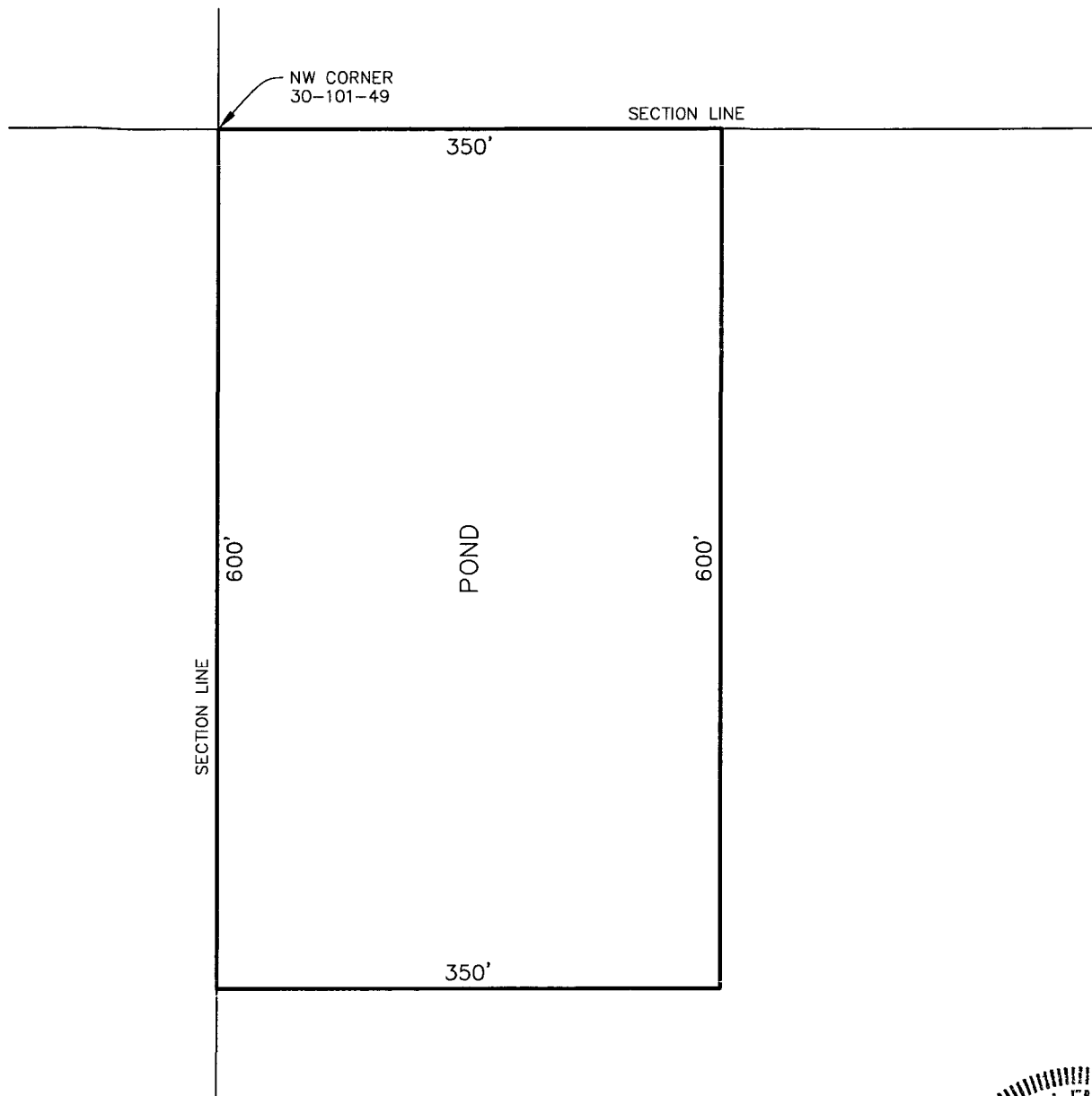
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- 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

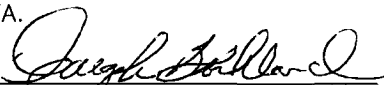
PROJECT NO.: 17736
DATE: JANUARY 05, 2007
PREPARED FOR: MINNEHAHA COUNTRY CLUB
DESCRIPTION: POND EXHIBIT
NW1/4 OF SECTION 30, T101N, R49W OF THE 5TH P.M.,
MINNEHAHA COUNTY, SOUTH DAKOTA

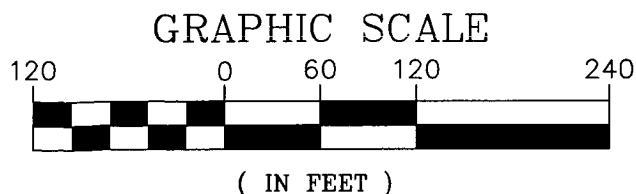
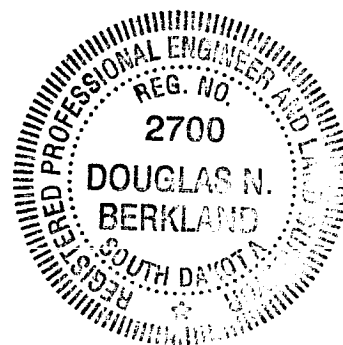
RECEIVED
JUN - 4 2007
WATER RIGHTS
PROGRAM



I, DOUGLAS N. BERKLAND, HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ENGINEER AND LAND SURVEYOR UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA.

DATE:


DOUGLAS N. BERKLAND
REG. NO. 2700



Sayre
Associates

216 S. Duluth Avenue, Box 734 • Sioux Falls, SD 57104
Phone: (605) 332-7211 • Fax: (605) 332-7222

Engineers • Surveyors

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 6/4, 20 07

RECEIVED OF Winchona County, Club 3101 S 22ND ST Sioux Falls SD 57105

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

Fee for Application for Permit No. <u>6861-3</u> to Appropriate Water, to construct and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6861-3</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	200 00

No.

03-62

By Garland Erbe
Chief Engineer



**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. 6861-3, Minnehaha Country Club**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6861-3, Minnehaha Country Club, c/o Steve Harrer, 3101 W 22nd Street, Sioux Falls SD 57105.

The Chief Engineer is recommending APPROVAL of Application No. 6861-3 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. Permit No. 6861-3 allows pumping from the two existing wells authorized by Water Right No. 5542-3 at a rate of 1.53 cubic feet of water per second into a 3.5 acre feet storage pond prior to application of water to the acreage described in Water Right No. 5542-3.
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. 6861-3 authorizes a maximum diversion rate of 2.67 cfs from the pond 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
August 16, 2007

REPORT ON WATER PERMIT APPLICATION NO. 6861-3
For Minnehaha Country Club
July 26, 2007

Application No. 6861-3 proposes to increase the diversion rate from a proposed pond (dugout). Water Right No. 5542-3 authorizes 1.53 cfs from two wells located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of section 30 to irrigate 116.3 acres of a golf course located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 30, S $\frac{1}{2}$ SW $\frac{1}{4}$ of section 19; all in T101N R49W. This application proposes construction of a pond (approximate storage capacity of 3.5 acre feet) located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 30, T101N R49W. Water will be diverted to the pond from the two existing wells at the authorized rate of 1.53 cfs and then diverted from the pond at a rate of 2.67 cfs. This rate is greater than the statutory limit of 1 cfs per 70 acres.

AQUIFER – BIG SIOUX SOUTH (BS-S)

The Big Sioux South is a surficial outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 17,200 acres and contains an estimated 20,640 acre-feet of recoverable water in storage in Minnehaha County (Hedges, 1982). The aquifer is hydraulically connected to the Big Sioux-Southern Skunk Creek aquifer to the west, the Big Sioux-Sioux Falls aquifer to the north, the Sioux Quartzite aquifer in the subsurface and to the Big Sioux River. In this area the aquifer is mostly restricted to the Big Sioux River floodplain and is bounded to the west by the Skunk Creek aquifer (called the Big Sioux Southern Skunk Creek aquifer for Water Right purposes) and downstream by the outcropping of the Sioux quartzite (Lindgren, 1991).

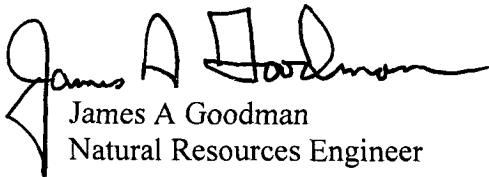
The Water Rights Program does not monitor any observation wells completed into the Big Sioux South aquifer in this area. Observation well MA-57I was located about one-half mile to the west but was destroyed in 2001. Water levels for this well did show good response to climatic conditions, that is water levels rose during wet years and gradually declined during dry years. This information corresponds with observation well MA-80AA located about 10 miles downstream on the Big Sioux River. A hydrograph for this observation well is included with this report (Water Rights, 2007).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The only other nearby permits are for the golf course. This application will not change the existing well configuration or the pumping rate from the wells. Interference is not expected to be a concern. The pumping rate from this proposed storage reservoir will exceed the statutory limit of one cfs per 70 acres. Also this appears to be a dugout storage pond that will need to be lined or the water will leak out of the pond as fast as it is pumped into it. The applicant indicates that the water level in the aquifer will be below the bottom of the pond.

CONCLUSIONS

1. Water is available for this application. The water has already been appropriated and licensed under existing rights.
2. The pond appears to be actually a dugout. The pond will act as temporary storage in order for the golf course to pump at a rate of 2.67 cfs. The golf course requests this rate because of time limitations for course irrigation. It appears that the dugout will have to be lined in order to store water otherwise the pumped water would simply leak back into the aquifer.
3. The aquifer is under water table conditions in this area. Drawdown created by pumping is not significant and interference is not a concern.
4. These are licensed wells and the pumping rate from the wells will not change.

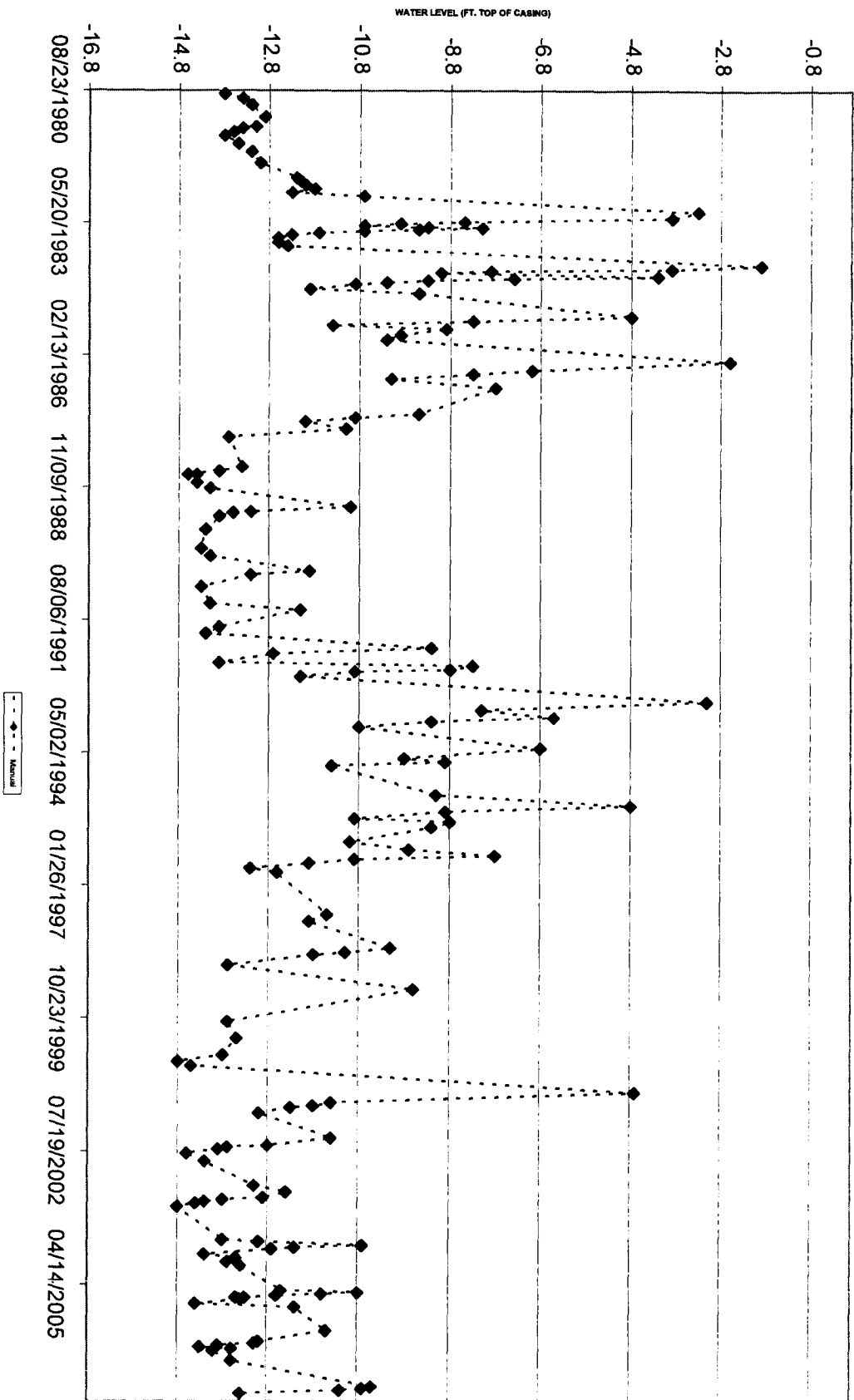


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hedges, L.S., 1982, Evaluation of the 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.
- Lindgren, R.J., C.A. Niehus, 1992, Water Resources of Minnehaha County, Water-Resources Investigations Report 91-4101, USGS, Huron, SD, 57350.
- Water Rights, 2007, Unpublished Observation Well Data for Minnehaha County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL MA-80AA



AFFIDAVIT OF PUBLICATION-

Customer Number: **078340**

SD Dept Of Environment & Natural Resources

Invoice Number: **1058714**

Argus Leader
AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

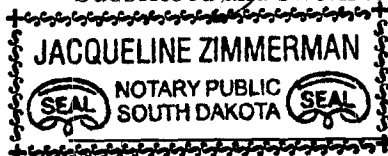
Betty Jones being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the 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

Friday, the 24 day of August 2007 ,
Friday, the 31 day of August 2007 ,
_____, the _____ day of _____ 2007 ,
_____, the _____ day of _____ 2007 ,
_____, the _____ day of _____ 2007 ,
_____, the _____ day of _____ 2007 ,
_____, the _____ day of _____ 2007 ,

and that \$123.50 was charged for publishing the same

Betty Jones

Subscribed and sworn to before me 8/31/2007 .



J. Zimmerman
Notary Public, South Dakota

My Commission expires December 22, 2009

OK

NOTICE OF APPLICATION NO. 6861-3 to Appropriate Water

Notice is given that the Minnehaha Country Club, c/o Steven Harrer, 3101 W 22nd St, Sioux Falls SD 57105 has filed an application for a water permit increase the diversion rate from a proposed pond. Water Right No. 5542-3 authorizes 1.53 cubic feet of water per second (cfs) from two wells located in the W 1/2 NW 1/4 Section 30 to irrigate 116.5 acres of a golf course located in the NW 1/4 SW 1/4, W 1/2 NW 1/4, NE 1/4 NW 1/4 Section 30, S 1/2 SW 1/4 Section 19; all in T101N-R49W. This application proposes constructing a pond (approximate storage capacity of 3.5 acre feet of water) located in the NW 1/4 NW 1/4 Sector 30-T101N-R49W. Water will be diverted to the pond from the 2 existing wells at the authorized diversion rate of 1.53 cfs. This application proposes to divert from the pond at a rate of 2.67 cfs. The applicant is requesting a diversion rate from this pond that is greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6861-3 because: 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this 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 this 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 recommendations 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 September 10, 2007.

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.
1058714 Aug. 24 & 31, 2007



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 16, 2007

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

ATTENTION: Legal Public Notice

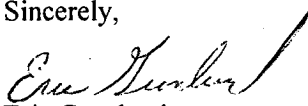
Enclosed is a Notice on Application No. 6861-3 to Appropriate Water to be published twice. Please publish the first notice on August 24, 2007 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Minnehaha Country Club, Steve Harrer, 3101 W 22nd St, Sioux Falls SD 57105 (Ph # 605-332-2304).

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. 6861-3

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

Date _____

We are in receipt of your letter of August 16, 2007 enclosing Notice to Appropriate Water by Application No. 6861-3 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.

August 16, 2007

Steve Harrer
Minnehaha Country Club
3101 W 22nd St
Sioux Falls SD 57105

Dear Mr. Harrer

Water Permit Application No. 6861-3 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 report on the application is 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 applications.

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 August 24, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6861-3 to Appropriate Water

Notice is given that the Minnehaha Country Club, c/o Steven Harrer, 3101 W 22nd St, Sioux Falls SD 57105 has filed an application for a water permit increase the diversion rate from a proposed pond. Water Right No. 5542-3 authorizes 1.53 cubic feet of water per second (cfs) from two wells located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 30 to irrigate 116.5 acres of a golf course located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 19; all in T101N-R49W. This application proposes constructing a pond (approximate storage capacity of 3.5 acre feet of water) located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30-T101N-R49W. Water will be diverted to the pond from the 2 existing wells at the authorized diversion rate of 1.53 cfs. This application proposes to divert from the pond at a rate of 2.67 cfs. The applicant is requesting a diversion rate from this pond that is greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6861-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3)) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this 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 this 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 recommendations 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 September 10, 2007.

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.



OCT 19 2007

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Minnehaha Country Club
3101 W 22ND St
Sioux Falls SD 57105

Dear Sirs:

Enclosed is Water Permit No. 6861-3 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 1, 2008

6861-3

Steve Harrer
Minnehaha Country Club
3101 W 22nd St
Sioux Falls SD 57105

Dear Mr. Harrer:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that the improvements to the golf course as authorized by Water Permit No. 6861-3 have been completed.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on the water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath".

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

6861-3
RECEIVED

AUG - 1 2008

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEWATER RIGHTS
PROGRAMDate 7-30-08

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

FROM: Minnehaha Country Club
(name)
3101 W 22nd ST
(address)
Sioux Falls SD 57105 605-332-2304
(city, state, zip) (phone)

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

Water Permit No. 6861-3 states that the water use system is to be constructed by
9-10-2012, and water is to be put to beneficial use by 9-10-2016.
(date) (date)

The water use system was completed on 4-30-08.
(date)

Applying the water to beneficial use was completed on 4-30-08.
(date)

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

Steve Hauer CGCS
(signature)



Permit No. 6861-3
Big Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, June 4, 2009, made a thorough examination of the water use system constructed by Minnehaha Country club of 3101 W 22nd St., Sioux Falls SD 57105 holder of Permit No. 6861-3, bearing the priority of June 4, 2007 authorizing the diversion of 2.67 cu. ft. per second and the storage of 3.5 acre-feet of the waters of Big Sioux South Aquifer for irrigation purposes, in Minnehaha County.

Inspection contact & relationship to permit holder, if applicable: **Steve Harrer – Golf Course Superintendent**
Todd Brunken, Irrigation Technician
(605) 332-2304

A. Works used to divert the water: Wells licensed under 5542-3.

Well Information: Well #1	Well Information: Well #2
Well Drilling Firm: Grimshaw and Brice Depth(s) <u>74</u> feet Well log is available <u>no</u>	Well Drilling Firm: Sioux Falls Well Drilling Depth(s) <u>32</u> feet Well log is available <u>no</u>
Casing: Diameter <u>20</u> inches Length <u>32</u> feet Type <u>steel</u>	Casing: Diameter <u>16</u> inches Length <u>16</u> feet Type <u>steel</u>
Screen: Type <u>stainless steel</u> Length <u>18</u> feet Static water level <u>3</u> feet	Screen: Type <u>stainless steel</u> Length <u>10</u> feet Static water level <u>11.5</u> feet
Pump: Make <u>Jacuzzi</u> Model <u>6 BIT - 624</u> Size <u>6"</u> Capacity <u>345</u> GPM	Pump: Make <u>Jacuzzi</u> Model <u>6 BIT - 624</u> Size <u>6"</u> Capacity <u>345</u> GPM
Motor: Make <u>US Electric</u> Model No. <u>324TPH</u> Horsepower rating <u>40</u> hp	Motor: Make <u>US Electric</u> Model No. <u>324TPH</u> Horsepower rating <u>40</u> hp

At Pond:

Pump: Make <u>Flowserve</u> Model <u>10EMM-8</u> Size Capacity <u>600</u> GPM Motor: Make <u>US Electric</u> Model No. <u>BF 59A</u> Horsepower rating <u>60</u> hp	Pump: Make <u>Flowserve</u> Model <u>10EMM-8</u> Size Capacity <u>600</u> GPM Motor: Make <u>US Electric</u> Model No. <u>BF 59A</u> Horsepower rating <u>60</u> hp	Pump: Jockey pump to keep pressure Make <u>Flowserve</u>
---	---	--

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

- | | | |
|--------------------|--------------------------|--|
| 1) Type <u>PVC</u> | 2) Size <u>6</u> inches | 3) Length <u>25</u> feet to pump house |
| 1) Type <u>PVC</u> | 2) Size <u>4</u> inches | 3) Length <u>1950</u> feet wells to the pond |
| 1) Type <u>PVC</u> | 2) Size <u>1</u> inches | 3) Length <u>400</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>1½</u> inches | 3) Length <u>1700</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>2</u> inches | 3) Length <u>1300</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>2½</u> inches | 3) Length <u>1000</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>3</u> inches | 3) Length <u>9800</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>4</u> inches | 3) Length <u>1050</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>6</u> inches | 3) Length <u>5350</u> feet main lines |

C. Works used to apply water to beneficial use:

Permanent irrigation system using Rain Bird sprinklers model nos. 41 and 51.

Chemigation Equipment:

- 1) Does chemigate no

D. Compliance with Permit Requirements:

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

The system is in good condition with the point(s) of diversion located as follows: Well #1 is located 1020' S and 110' E and Well #2 is located 2363' S and 668" E of the NW corner Section 30, T101N, R49W. The works are capable of diverting and conveying to the place of use 1.53 cu. ft. per second of water to the pond, 2.67 cu. ft. per second of water to the golf course, and storing 3.5 acre-feet of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

Report of Examination of Works

Permit No. 6861-3

Section 30, T101N, R49W:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 19 acres

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 37 acres

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 25.5 acres

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 7 acres

Section 19, T101N, R49W:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7 acres

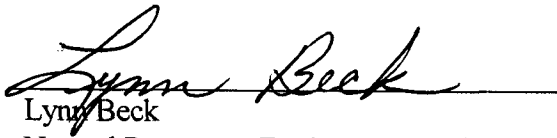
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 21 acres

comprising a total of 116.5 acres of land and the license should be issued for 1.5³ cfs and 3.5 acre-feet of storage.

All structures, wells and lands on map Y/N

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

The two wells pump a combined 690 gpm or 1.53 cfs authorized by Water Right 5542-3 to irrigate 116.5 acres of the golf course. The wells now pump water to the pond where water is then delivered to the golf course. Permit No. 6861-3 authorizes 2.67 cfs from a storage pond to irrigate land covered by 5542-3. The actual combined pumping from the storage pond is 1200 gpm or 2.67 cfs. Water Right 5542-3 should be incorporated into 6861-3.



Lynn Beck

Natural Resources Engineer Specialist
DENR, Water Rights Program

Date report completed: October 26, 2010

19



116.5 TOTAL ACRES

Protecting South Dakota's Tomorrow ... Today

Lynn Beck
Lynn Beck
Natural Resources Engineer Specialist
DENR - Water Rights Program

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6861-3

(1) Minnehaha Country Club, 3101 W 22nd St, Sioux Falls SD 57105 made Application No. 6861-3, June 4, 2007 for a water permit to divert 2.67 cubic feet of water per second from a pond (3.5 acre feet storage capacity), Minnehaha County, South Dakota for irrigation purposes. Permit No. 6861-3, with a priority date of June 4, 2007 was approved September 10, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 10, 2012 and for the application to beneficial use of said water on or before September 10, 2016.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on August 1, 2008. The "*Notice*" stated the water use system was completed and the water placed to beneficial use in April of 2008.

Water Right No. 5542-3 authorizes diversion of 1.53 cfs from two wells for irrigation of 116.5 acres. Water Permit No. 6861-3 was obtained to authorize addition of a storage pond to the system. The applicable portions of Water Right No. 5542-3 have been incorporated into this license. Priority dates are as follows: Well #1 – April 10, 1959; Well #2 – August 22, 1978; 3.5 additional acres – March 4, 1991; 3.5 acre feet storage pond – June 4, 2007.

(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 1.53 cubic feet of water per second from ground water (two wells) into a 3.5 acre feet storage pond and is also entitled to divert at a rate of 2.67 cubic feet of water per second from the pond to the irrigated acres for beneficial use.

The location of the diversion points are:

- Well #1: 1,020 feet south and 110 feet east of the NW corner of Section 30, T101N, R49W (NW ¼ NW ¼);
- Well #2: 2,363 feet south and 668 feet east of the NW corner of Section 30, T101N, R49W (SW ¼ NW ¼);
- Pond: NW ¼ NW ¼ Section 30, T101N, R49W

(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:

All in T101N, R49W					
Section 30	NE ¼ NW ¼	19.0 acres	Section 19	SW ¼ SW ¼	7.0 acres
	NW ¼ NW ¼	37.0 acres		SE ¼ SW ¼	21.0 acres
	SW ¼ NW ¼	25.5 acres			
	NW ¼ SW ¼	7.0 acres	Total 116.5 acres		

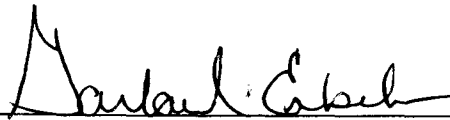
(4) Pursuant to South Dakota Water Law 46-5-30.1 Minnehaha Country Club, 3101 W 22nd St, Sioux Falls SD 57105 the holder and/or owner of Incorporated Water Right No. 6861-3 is issued a license to appropriate water, the right to use 1.53 cubic feet of water per second from ground water (two wells) and 2.67 cubic feet of water from a 3.5 acre feet storage pond with priority dates of April 10, 1959, August 22, 1978, March 4, 1991 and June 4, 2007 from the locations 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. 6861-3 and subject to the following qualifications:

- No. 6861-3 allows pumping from the two existing wells authorized by Water Right No. 5542-3 at a rate of 1.53 cubic feet of water per second into a 3.5 acre-feet storage pond prior to application of water to the acreage described in Water Right No. 5542-3.

Continued

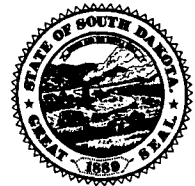
- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or types of soils so requires, Permit No. 6861-3 authorizes a maximum diversion rate of 2.67 cfs from the pond with an annual volume not to exceed 2 acre-feet of water per acre per year.
- This 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

AUG 19 2011

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 19 2011

6861-3
5542-3

David Swift, Golf Course Supt
Minnehaha Country Club
3101 W 22nd St
Sioux Falls SD 57105

Dear Mr. Swift:

Enclosed is Water License No. 6861-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6861-3, 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.

The applicable portions of Water Right No. 5542-3 were incorporated into Water License No. 6861-3. 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,

A handwritten signature in black ink, appearing to read "Garland Erbele".

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

enclosures