

WATER PERMIT NO. 7077-3

Name of Applicant: **Lenkota Country Club**

Address: **PO Box 495, Lennox SD 57039**

Phone: **605 359-3550**

Amount of Water Claimed: **0.333 cfs**

Total Acres: **60**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **irrigation**

County: **Lincoln**

Type of Waste Disposal System:

Location: **½ mile west of Lennox**

PRIORITY

Date Received: **10-16-08**

Application/License Fee: **\$200**

Corrected Application Received:

Period of Annual Use: **March 1 – November 30**

Remarks: **Will pump from the well into a 5 AF storage dam authorized by Water Right No. 6269-3**

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

Land to be Irrigated: **SE ¼ Sec 31-T99N-R51W**

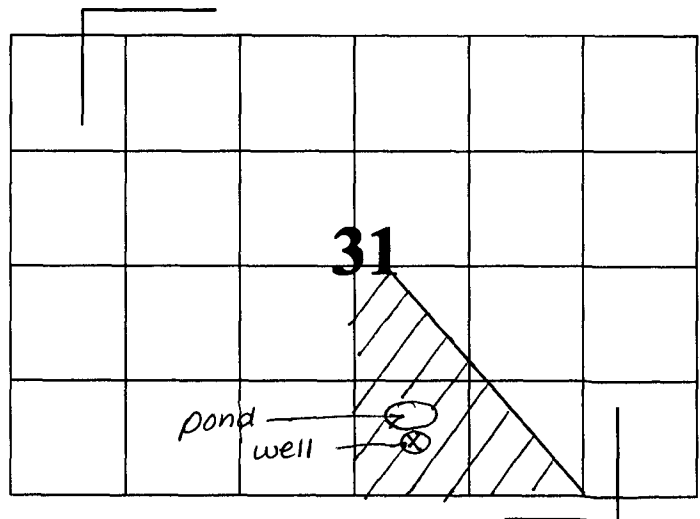
Depth of Well: **213 feet deep**

Well Driller: **Dave Putzke Drilling**

Remarks:

Type of Map: **aerial**

Prepared by: **Lincoln Co. FSA office**



Reviewed and the Number Assigned on: **10-16-08**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>7077-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Lennox Independent + P.O. Box 76</u>
	<u>605-647-2284</u> <u>Lennox 57039</u>

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OCT 16 2008

Application For Permit To Appropriate Water For Irrigation

WATER RIGHTS
PROGRAM

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

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

- Name of Applicant Lenkota Country Club Phone (605) 359-3550
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address P.O. Box 495 Lennox State SD 57039
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.333*CFS or 150 **GPM ***AF Total Acreage 60
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply New ground water well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Lincoln
SW 1/4 of SE 1/4 of Section 31 all in T99N-R51W
1/4
- County or counties where water will be used Lincoln
- Annual period during which water is to be used March 1 through November 30
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
SW 1/4 of SE 1/4 of Sec 31 T99N-R51W	38		
SE 1/4 of SE 1/4 of Sec 31 T99N-R51W	6		
NW 1/4 of SE 1/4 of Sec 31 T99N-R51W	16		

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

Install well to pump water into the holding pond used for irrigation of the golf course under existing water right 6296-3. Water will then be diverted at the rate authorized under existing water permit.

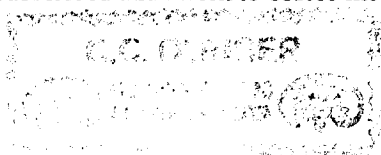
STATE OF SOUTH DAKOTA) SS
County of Lincoln)

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

I, John Carlson, 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 John Carlson Vice Pres Lenkota

Subscribed and sworn to before me this 10th day of October 2008



C.C. Wagner
Notary Public signature

My Commission Expires
11-17-2011

**SOUTH DAKOTA
WATER PERMIT NO. 7077-3**

Date of first receipt of application October 16, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7077-3 to Lenkota Country Club, PO Box 495, Lennox SD 57039 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7077-3 appropriates 0.333 cubic feet of water per second from one well to be completed into the Upper Vermillion:Missouri Aquifer (approximately 213 feet deep) located in SW ¼ SE ¼ Section 31 to irrigate 60 acres located in the W ½ SE ¼ and SE ¼ SE ¼ Section 31; all in T99N-R51W. The permit holder is authorized to pump water from the well into a 5 acre-feet storage pond authorized by Water Right No. 6296-3 prior to irrigation of the golf course.
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: March 1 – November 30.
3. The date from which applicant may claim right is October 16, 2008.
4. The date of approval of Permit No. 7077-3 is December 29, 2008.
5. One-fifth of the construction is to be completed on or before June 29, 2011.
6. All construction is to be completed on or before December 29, 2013.
7. Water is to be put to beneficial use on or before December 29, 2017.
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

JAN 27 2009

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 11 inches Depth 213 ft
- b) Casing Type Plastic FDR 17 Diameter 6.9: Thickness .32"
- c) Screen Type Plastic FDR 17 Diameter 6.9" Thickness .32"
- d) Gravel Pack #2 Length of Gravel Pack 43'
- e) Depth to Top of Water Bearing Material 184'
- f) Depth to Water (ground surface to water level) 70'
- g) Distance to nearest existing domestic well:
On applicants property 175 yards On property owned by others 350 yards

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

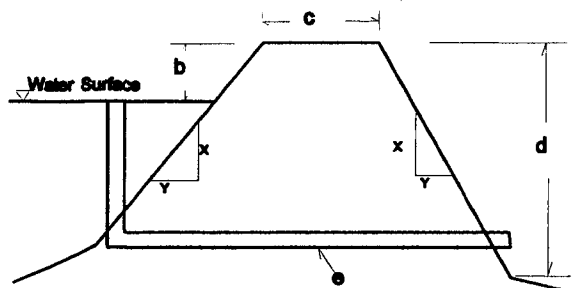
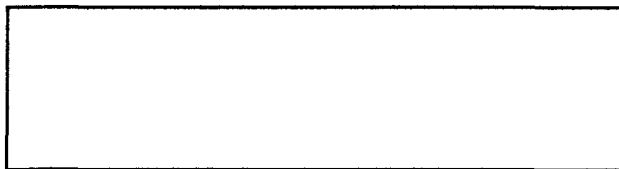
3. Dugout Information

- 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.

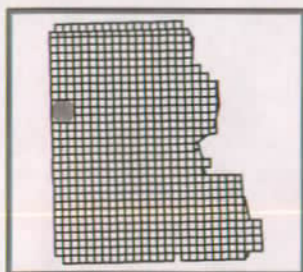
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- 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



1:7,832



USDA - Farm Service Agency
Lincoln County, SD
31-99N-51W

April 07, 2008

Legend

- Tract Boundaries
- Section-Township-Range
- Easements
- CRP
- Common Land Units
- Rangeland

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions



USDA FSA maps are for FSA Program administration only. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability. FSA MAPS DO NOT REPRESENT A LEGAL SURVEY. The user accepts the data 'as is' and assumes all risks associated with its use. Wetland points reflect records available with NRCS and may or may not constitute a full inventory of the property. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data.

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-024 and attached maps) for wetland boundaries and determinations, or contact NRCS.

Robt L. ... 10-14-08 PT/FSA

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Map of 43.347823,-96.912525

YAHOO! LOCAL
Maps

When using any driving directions or map, it's a good idea to do a reality check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning.

SW corner of SE quarter Sec 31 040° 1090 ft

Just an extra map that shows the location
of the well

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OCT 16 2008

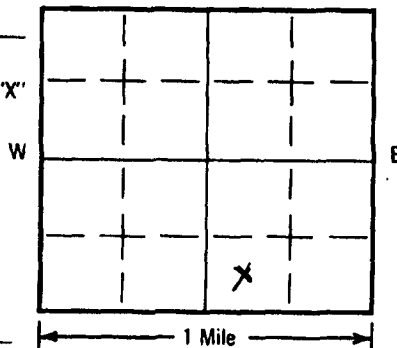
WATER RIGHTS
PROGRAM

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SW 1/4 SE 1/4 Sec 31 Twp 99N Rg 51W
County Lincoln

Please mark well location with an "X"



Well Completion Date

10-6-08

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? NONE ft. from NONE (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SDR-17</u> LB/FT	<u>6.9</u> IN	<u>0</u> FT	<u>213</u> FT	<u>11</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
<u>High Strength DF</u>	<u>12</u>	_____ lb./gal	<u>0</u> ft	<u>170</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure run trim line to 170'
Pump GroutSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 6.9 IN Length 20 FEETMaterial PlasticSlot Size 45 Set From 193 Feet to 213 FeetOther information Gravel Pack w/ NO 2 # packWAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How:Pumped 5
Gallons of
Chlorine

Laboratory sent to for water quality analysis _____

Well Owner: 1Business Name: Lenkata Golf CourseAddress: 27853 SD Highway 44
Lennox, SD 57039

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>2</u>
<u>Brown Clay</u>	<u>2</u>	<u>11</u>
<u>Sand & Gravel</u>	<u>11</u>	<u>18</u>
<u>Rocks</u>	<u>18</u>	<u>19</u>
<u>Blue Clay</u>	<u>19</u>	<u>184</u>
<u>Coarse Sand & Gravel</u>	<u>184</u>	<u>213</u>
<u>Blue clay</u>	<u>213</u>	

STATIC WATER LEVEL 70 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

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

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This well was drilled under license # 439

And this report is true and accurate.

Drilling firm Deane Putek well Drilling & repair Inc

Signature of License Representative:

Deane Putek

Signature of Well Owner or Equitable Property Holder:

Lenkata Country Club / John Carlson Vice PresDate: 10-17-08

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/16, 20 08

RECEIVED OF Lenkota Country Club PO Box 469 Lennox SD 57039

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

Fee for Application for Permit No. <u>7077-3</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>7077-3</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.

3775

By

Garland F. Schell

Chief Engineer

27



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 3, 2008

Lenkota Country Club
Attn: John Carlson
PO Box 495
Lennox, SD 57039

Dear Mr. Carlson:

As you have requested and pursuant to South Dakota Well Construction Standard 74:02:04: 21, Lenkota County Club is authorized to construct a test well in SE ¼ of Section 31, T99N R51W in Lincoln County. The well is to be constructed by Putzke Drilling (License No. 439) to a depth of about 213 feet. This well must be constructed in accordance with SD Well Construction Standards.

Approval of the construction of this test well does not assure issuance of a water permit. Before using water from this well a water permit must be obtained from the Water Management Board.

Very Truly Yours,

James A Goodman
Natural Resources Engineer
For Garland Erberle, Chief Engineer
Water Rights Program
(605) 773-3352



**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. 7077-3, Lenkota Country Club**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 7077-3, Lenkota Country Club, c/o John Carlson, PO Box 495, Lennox SD 57039.

The Chief Engineer is recommending APPROVAL of Application No. 7077-3 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
December 4, 2008

REPORT ON WATER PERMIT APPLICATION NO. 7077-3
For Lenkota Country Club
November 18, 2008

Application No. 7077-3 proposes to appropriate 0.333 cfs (150 gpm) from one well approximately 213 feet deep located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 31 to irrigate 60 acres located in the W $\frac{1}{2}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 31; all in T99N R51W in Lincoln County. The applicant is proposing to pump ground water into a 5 acre-feet storage pond prior to irrigation of the golf course as authorized by Water Right No. 6296-3.

AQUIFER – UPPER VERMILLION MISSOURI (UVM)

The Upper Vermillion Missouri aquifer is a buried outwash (sand and gravel) that is under artesian conditions at this site. The aquifer underlies 85 square miles and contains an estimated 330,000 acre feet of water in storage in Lincoln County (Niehus, 1994). The aquifer has previously been referred to the Lennox aquifer (Hedges, 1982) and in various other reports but does fit in well with the Upper Vermillion Missouri aquifer as mapped in Turner County (Lindgren, 1990). The aquifer appears to be hydraulically connected to the underlying Dakota aquifer in the subsurface and to the overlying Parker Centerville aquifer in northern Turner County.

A well hole log submitted by Putzke Drilling indicates coarse sand and gravel from 184 to 213 feet below land surface. The test well had a static water level of 70 feet below land surface. This information fits very well with nearby test well and observation well drilling in the Lennox area.

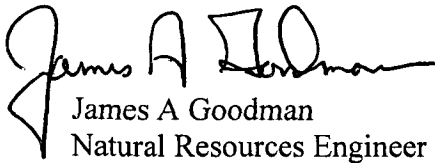
The Water Rights Program monitors an observation well TU-80B completed into this same aquifer and located about two miles west of this application. The water level record indicates the aquifer is capable of sustaining additional withdrawals (Water Rights, 2008). A hydrograph for this observation well is included with this report. Note that the hydrograph shows the effects of pumping (fluctuating water levels). The amount of fluctuation appears to be about 10 feet per year.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The City of Lennox has water rights from the Upper Vermillion Missouri (Lennox) aquifer for 2 wells and 1.11 cfs. These wells are located about one mile northeast of the site proposed by this application. Interference should not be a concern. The city primarily uses these wells as a backup water supply. The Lennox School District does have another water permit No. 6740-3 for 0.13 cfs for water the football/track complex located in the southeast corner of section 32 (about one well to the east of this application).

CONCLUSIONS

1. Water is available from the Upper Vermillion Missouri (Lennox) aquifer.
2. The aquifer is under artesian conditions at this site. Drawdown will occur as a result of pumping. This should not be significant under existing conditions. This is shown by the observation well hydrograph. Interference is not a concern.
3. This well appears to have been constructed in accordance with SD Well Construction Standards.
4. Water from the well will be pumped into a dugout and then pumped from the dugout to irrigate the golf course. The golf course has a Water Right No. 6296-3 authorizing 0.78 cfs to irrigate 35 acres. This application will not change the existing right but only add another water source and additional acres.
5. Because Lennox city wastewater may be used on the golf course (also sent to the dugout) this well must be kept separate from the irrigation distribution system for the golf course.

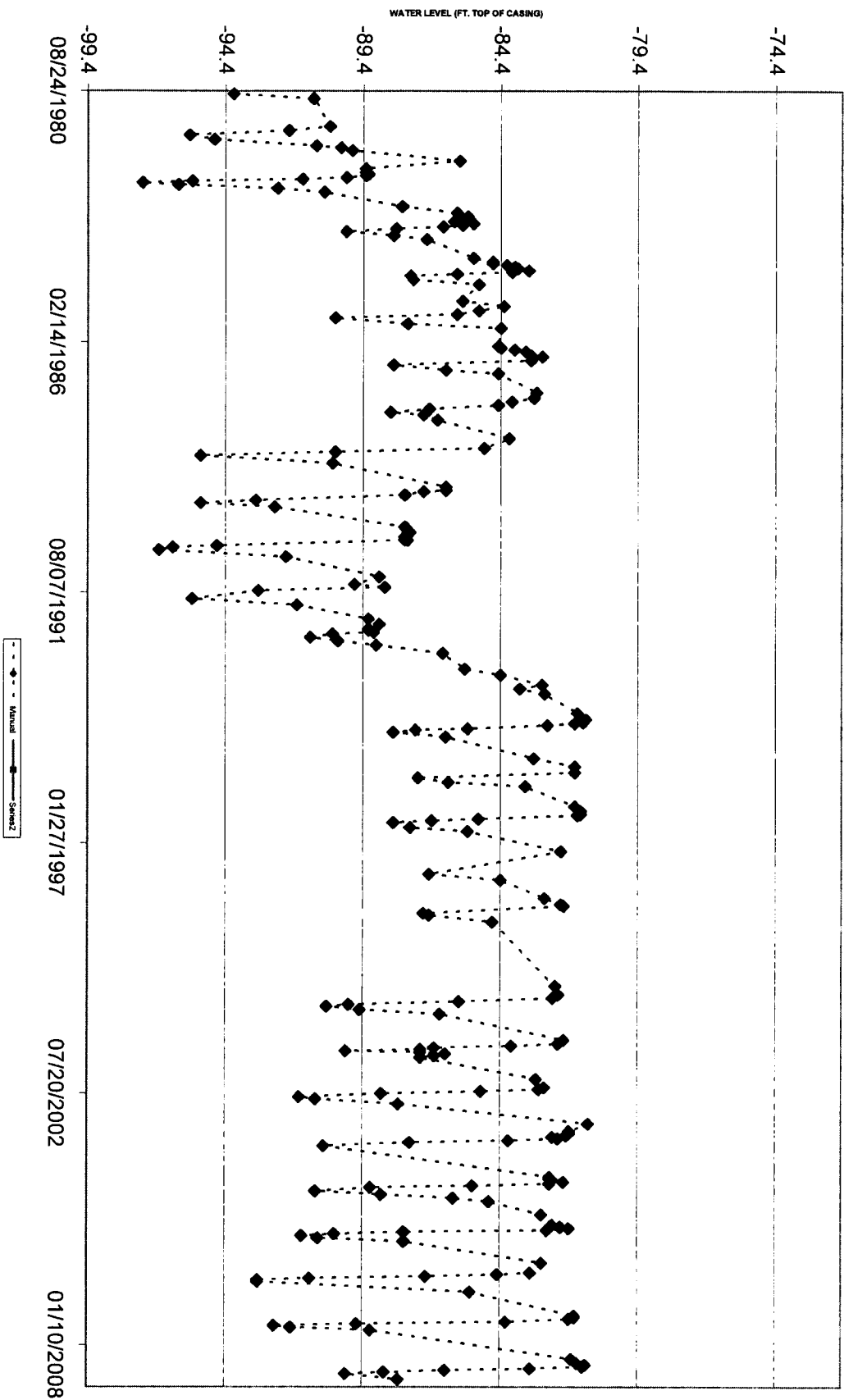


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Lindgren, R.J., D.S. Hansen, 1990, Water Resources of Hutchinson and Turner Counties, South Dakota, Water-Resources Investigations Report 90-4093, USGS, Huron, SD, 57350.
- Niehus, C.A., 1994, Water Resources of Lincoln and Union Counties, South Dakota, Water-Resources Investigations Report 93-4195, USGS, Rapid City, SD, 57702.
- Water Rights, 2008, Unpublished Observation Well Data for Turner and Lincoln Counties, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
TU-80B**



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JAN - 2 2009

WATER RIGHTS
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AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA }
COUNTY OF LINCOLN } SS.*Rebecca Schmidt*

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

*Notice of App*NOTICE OF APPLICATION NO. 7077-3
to Appropriate Water

Notice is given that Lenkota Country Club, c/o John Carlson, PO Box 495, Lennox SD 57039 has filed an application for a water permit to appropriate 0.333 cubic feet of water per second from one well to be completed into the Upper Vermillion: Missouri Aquifer (approximately 213 feet deep) located in SW1/4 SE1/4 Section 31 to irrigate 60 acres located in the W1/2 SE1/4 and SE1/4 SE1/4 Section 31; all in T99N-R51W. The applicant is proposing to pump water from the well into a 5 acre-foot storage pond authorized by Water Right No. 6296-3 prior to irrigation of the golf course.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7077-3 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 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 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 December 29, 2008.

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

(12-11, 18/63)

a printed copy of which is hereonto attached and made a part hereof, was printed and published in the said newspaper 2 successive issues. That the first publication of said notice in said newspaper aforesaid was on Thursday, the 11 day of Dec A.D., 20 08 and that the succeeding publication was severally on Thursday the 18 day of Dec A.D., 20 08 on Thursday the ___ day of ___ A.D., 20 ___ on Thursday the ___ day of ___ A.D., 20 ___ on Thursday the ___ day of ___ A.D., 20 ___ on Thursday the ___ day of ___ A.D., 20 ___

that the fees charged for the printing and publication of said notice and advertisement in said newspaper as aforesaid were 42 Dollars 21 Cents, and that said fees for the printing and publishing of said notice and advertisement, and for the affidavit as aforesaid, have been fully paid; that the full amount of the fee charged for the publishing of the said attached and annexed notice and advertisement inures to the benefit of the publishers of the said Lennox Independent, that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person, whomsoever.

*Rebecca Schmidt*Subscribed and sworn to before me this 8 day ofDec, 20 08*[Signature]*

Notary Public

Lincoln County, South Dakota

My Commission expires July 9, 20 09



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 4, 2008

Lennox Independent
PO Box 76
Lennox SD 57039

ATTENTION: Legal Public Notice

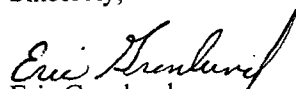
Enclosed is a Notice on Application No. 7077-3 to Appropriate Water to be published twice. Please publish the first notice on December 11, 2008 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Lenkota Country Club, c/o John Carlson, PO Box 495, Lennox SD 57039 (Ph # 605-359-3550).

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. 7077-3

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

Date _____

We are in receipt of your letter of December 4, 2008 enclosing Notice to Appropriate Water by Application No. 7077-3 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.**

December 4, 2008

Lenkota Country Club
c/o John Carlson
PO Box 495
Lennox SD 57039

Dear Mr. Carlson:

Water Permit Application No. 7077-3 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 Lennox Independent printed at Lennox SD (Ph # 605-647-2284). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and 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 December 11, 2008 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7077-3 to Appropriate Water

Notice is given that Lenkota Country Club, c/o John Carlson, PO Box 495, Lennox SD 57039 has filed an application for a water permit to appropriate 0.333 cubic feet of water per second from one well to be completed into the Upper Vermillion:Missouri Aquifer (approximately 213 feet deep) located in SW ¼ SE ¼ Section 31 to irrigate 60 acres located in the W ½ SE ¼ and SE ¼ SE ¼ Section 31; all in T99N-R51W. The applicant is proposing to pump water from the well into a 5 acre-feet storage pond authorized by Water Right No. 6296-3 prior to irrigation of the golf course.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7077-3 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 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 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 December 29, 2008.

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

JAN 27 2009

Lenkota Country Club
c/o John Carlson
PO Box 495
Lennox SD 57039

Dear Mr. Carlson:

Enclosed is Water Permit No. 7077-3 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

7077-3
RECEIVED

JUN 15 2009

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate Jun 10, 2009TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Lenkota Country Club/John Carlson
(name)
P.O. Box 495
(address)
Lennox, SD 57039 605-359-3550
(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.

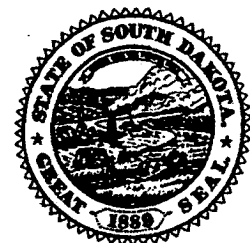
Water Permit No. 7077-3 states that the water use system is to be constructed by Dec 29, 2013, and water is to be put to beneficial use by Dec 29, 2017.
(date) (date)

The water use system was completed on Jun 9, 2009.
(date)

Applying the water to beneficial use was completed on Jun 9, 2009.
(date)

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

John Carlson
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 15, 2009

7077-3

John Carlson
Lenkota Country Club
PO Box 495
Lennox SD 57039-0495

Dear Mr. Carlson:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that the country club is completed with the water use system.

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 your 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,

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

File No. 6296-3

7077-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

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

DATE: December 21, 2015

TELEPHONE: 605 321-3600

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

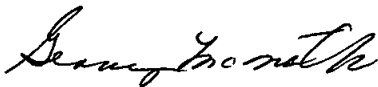
Bruce Shay had submitted an irrigation questionnaire under Water Right No. 6296-3 on November 6, 2015. He wrote in on the form that the information was for the well.

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

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

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

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



Genny McMath
Water Rights Program



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

January 20, 2022

NOTICE

TO: LENKOTA COUNTRY CLUB, JOHN CARLSON, PO BOX 495, LENNOX, SD 57039 0495

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7077-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 7077-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** 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) 7077-3 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 2, 2022** 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: <https://danr.sd.gov/iq> using this password: PNACPI**

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 16, 2022

7077-3

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

Dear Mr. Shay:

I am writing to acknowledge receipt of the 2021 irrigation questionnaire for Lenkota Country Club.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Permit No. 7077-3. 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
Genny.mcmath@state.sd.us

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7077-3

I have this day, April 17, 2023, made a thorough examination of the water use system constructed by Lenkota Country Club; PO Box 495, Lennox, SD 57039 of Permit No. 7077-3, bearing the priority of October 16, 2008 authorizing the diversion of 0.33 cu. ft. per second and/or the storage of 5 acre-feet of the waters of the Upper Vermillion-Missouri Aquifer for irrigation purposes, in Lincoln County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Putzke Well Drilling
- 2) No. of Wells: 1 (drilled in October, 2008)
- 3) Depth: 213 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 6.9 inches
- 2) Length 193 feet
- 3) Type Plastic

Screen:

- 1) Type Plastic
- 2) Length 20 feet
- 3) Static water level 70 feet

Pump:

- 1) Make: Submersible
- 2) Model & Size: Unknown
- 3) Capacity 150 GPM

Motor:

Make, Model & Horsepower rating: unknown

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

- 1) Type Buried PVC pipe

C. Works used to apply water to beneficial use: Buried permanent sprinkler system

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 Y

E. Condition and Location:

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

**Well location: From the SE corner Sec 31 T99N R51W, 735 ft N & 2075 ft W,
Lat 43.34711 Long -96.91350 (SW ¼ SE ¼)**

**Pond location (taken from W/R 6296-3): 800 ft N & 1,945 ft W of the SE corner of Section 31,
T99N, R51W (SW ¼ SE ¼)**

2. The works are capable of diverting and conveying to the place of use 0.33 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All land in Sec 31 T99N R51W: W ½ SE ¼ and SE ¼ SE ¼

comprising a total of 40 acres of land and the license should be issued for 0.33 cfs

All structures, wells and lands on map n

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

Diversion of water from the pond is authorized under No. 6296-3. The applicable portions of Water Right No. 6296-3 will be incorporated into licensing of Water Right No. 7077-3.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: April 19, 2023

Notes: (information obtained from Bruce Shay (President of Lenkota): The well water is diverted to the pond at a rate of 150 gpm. The water diverted from the pond to the golf course is between 275-350 gpm.

Mr. Shay also indicated the acreage increased slightly from the original license (6296-3). They irrigate 40 acres within the footprint of the golf course.

Genny



0 0.05 0.1 0.2 0.3 0.4 Miles



Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program

7077-3



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

MAY 01 2023

6296-3
7077-3

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

Dear Mr. Shay:

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

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

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

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7077-3**

(1) Lenkota Country Club, PO Box 495, Lennox SD 57039 made Application No. 7077-3, October 16, 2008, for a water permit to divert 0.333 cubic feet of water per second from ground water, one well (Upper Vermillion Missouri Aquifer), Lincoln County, South Dakota for irrigation purposes. Permit No. 7077-3, with a priority date of October 16, 2008, was approved December 29, 2008, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 29, 2013, and for the application to beneficial use of water on or before December 29, 2017.

Water Permit No. 7077-3 authorized pumping from the well into a 5 acre-feet storage pond authorized under Water Right No. 6296-3. The water is then pumped from the pond to irrigate the golf course. The applicable portions of Water Right No. 6296-3 are incorporated into this water license. A priority date of February 4, 2002 is retained for the pond and a priority of October 16, 2008 is retained for pumping from the well.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 0.333 cubic feet of water per second for beneficial use. The diversion points are located as follows:

Well location: 735 ft N & 2075 ft W of the SE corner Section 31 T99N R51W,
Lat 43.34711 Long -96.91350 (SW ¼ SE ¼)

Pond location: (taken from W/R 6296-3): 800 ft N & 1,945 ft W of the SE corner of Section 31,
T99N, R51W (SW ¼ SE ¼)

(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:

- 40 acres within the W ½ SE ¼ and SE ¼ SE ¼ Section 31, T99N, R51W

(4) Pursuant to South Dakota Water Law 46-5-30.1 Lenkota Country Club, PO Box 495, Lennox SD 57039 the holder and/or owner of Incorporated Water Right No. 7077-3 is issued a license to appropriate water, the right to divert at a rate of 0.333 cubic feet of water per second from ground water, one well (Upper Vermillion Missouri Aquifer) and divert at a rate of 0.78 cfs from the 5 acre feet storage pond with priority dates of February 4, 2002 (dugout) and October 16, 2008 (well) 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 Incorporated Water Right No. 7077-3 and subject to the following qualifications:

- The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right 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.

Continued

- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.
- 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, No. 6296-3 authorizes a maximum diversion rate of 0.78 cfs for the irrigation of the golf course with an annual volume not to exceed 3 acre-feet of water per acre per year. *(Taken from No. 6296-3 pertaining to pumping from the dugout/pond)*
- This incorporated water right authorizes a dugout with a storage capacity of approximately 5-acre feet of water. *(Taken from No. 6296-3)*


Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

MAY 01 2023
date

