

Considered: _____

WATER PERMIT NO. 1354-1

MAP No. same

Name of Applicant U.S.D.A. Forest Service

Post Office Address P.O. Box 48, Camp Crook SD 57724

Amount of Water Claimed 29.4 ac-ft Total Acres NA

Source of Water Supply Schleichart Draw

Water to be used for wildlife & stock water County Harding

About 5 miles W of Ludlow

PROOF OF PUBLICATION: Received June 2, 1986 Not Received _____

APPLICATION: Approved July 1, 1986 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received April 7, 1986 Fee \$150.00 Remarks Licensing

April 7, 1986 Fee has also been received \$50.00

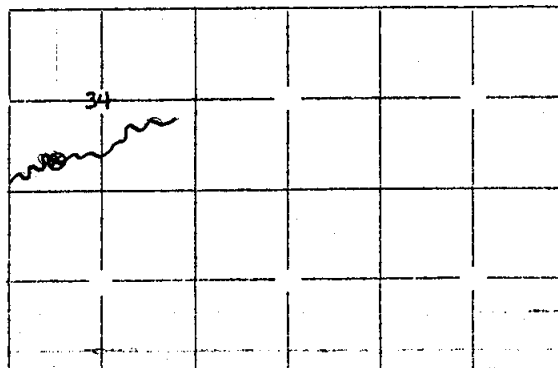
Corrected Application Received May 2, 1986 Period of Annual Use Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point Schleichart Draw: S $\frac{1}{2}$ SW $\frac{1}{4}$
of sec 34 - T22N - R5E

Land to be Irrigated NA



Well Log: Driller NA Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

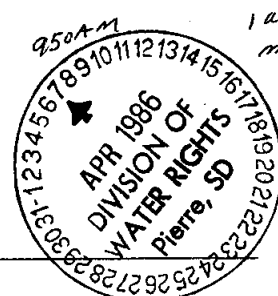
Type of Map Topo & Plat PREPARED BY Curtis W. Glasoe Reviewed and the Number
assigned on May 5, 1986 By Ren Duvall

No. 1354-1 Hydrologic Unit 10130302-19
 Map No. same Basin Grand River
 Newspaper Nation's Center News, Box 107 Wad

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water: Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☒ Wildlife and Stock Water

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____1. Name of Applicant U.S.D.A. Forest Service Phone No. 797-4432Post Office Address P.O. Box 48, Camp Crook State SD Zip Code 57724
(Street, RR or Box)2. Amount of water claimed (~~xxx~~) 29.4 acre feet3. Source of water supply Schleichart Draw4. Location of point of diversion (See attached maps.) Schleichart Draw: S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 34,
T22N-R5ECounty Harding5. Counties where water will be used Harding6. Annual period during which water is to be used year-long January 1 - December 31

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

The dam is proposed by the Forest Service and designed and constructed by Ducks Unlimited. Its purpose is to create habitat for waterfowl and provide water for livestock on National Forest System lands.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA)
 County of Harding)^{ss}

I, David P. Aicher, U.S.D.A. Forest Service District Ranger the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed David P. AicherSubscribed and sworn to before me this 4th day of April 1986

Paul E. Turberville
 Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1354-1

U.S.D.A. Forest Service (Applicant) P.O. Box 48, Camp Crook (Post Office Address)

SD (State) 57724 (Zip Code) With the following qualifications.

Approval of this Permit authorizes storage of up to 29.4 acre-feet of water annually.

Date of first receipt of application April 7, 19 86.

Date of return to applicant for correction, amendments or changes required April 10, 19 86.

Date of receipt of corrected application May 2, 19 86. Approved July 1, 19 86.

The Water Management Board hereby approves this Water Permit No. 1354-1 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is April 7, 19 86.

2. The equivalent of at least one-fifth of the specified work is to be completed on or before December 1, 19 88.

3. The whole of said work is to be completed on or before July 1, 19 91.

4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is July 1, 19 95.

5. The water appropriated shall be used for the purpose of wildlife propagation and livestock use

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 29.4 ^{acre-feet} ~~cubic feet per second~~; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served and to which water is actually and beneficially applied for wildlife propagation & livestock use on or before July 1, 19 95; said water to be used during the following described annual period: Jan 1 - Dec 31

WATER MANAGEMENT BOARD

By: John Hated
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

AUG 18 1986, 19 86

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 Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth of Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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

Ducks Unlimited, 6115 E. Main Ave.

Bismarck, ND 58501

b) Freeboard 1 ft.

c) Crest Width 12 ft.

Crest Length 380 ft.

d) Height 15 ft.

e) Outlet Dimensions:
Pipe diameter 12 in.

Spillway width 70 ft.

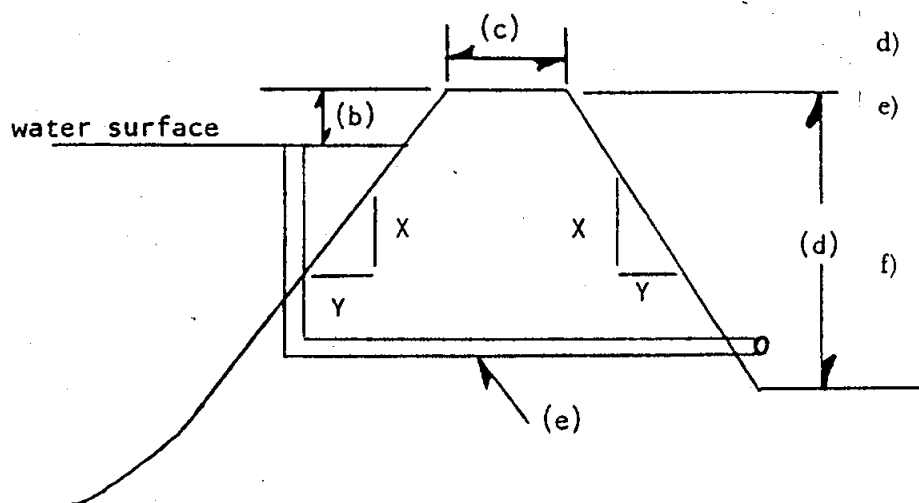
f) X & Y Slope
Upstream 3 to 1

Downstream 3 to 1

Surface Area of Impoundment 8.1 acres

Storage 29.4 acre feet

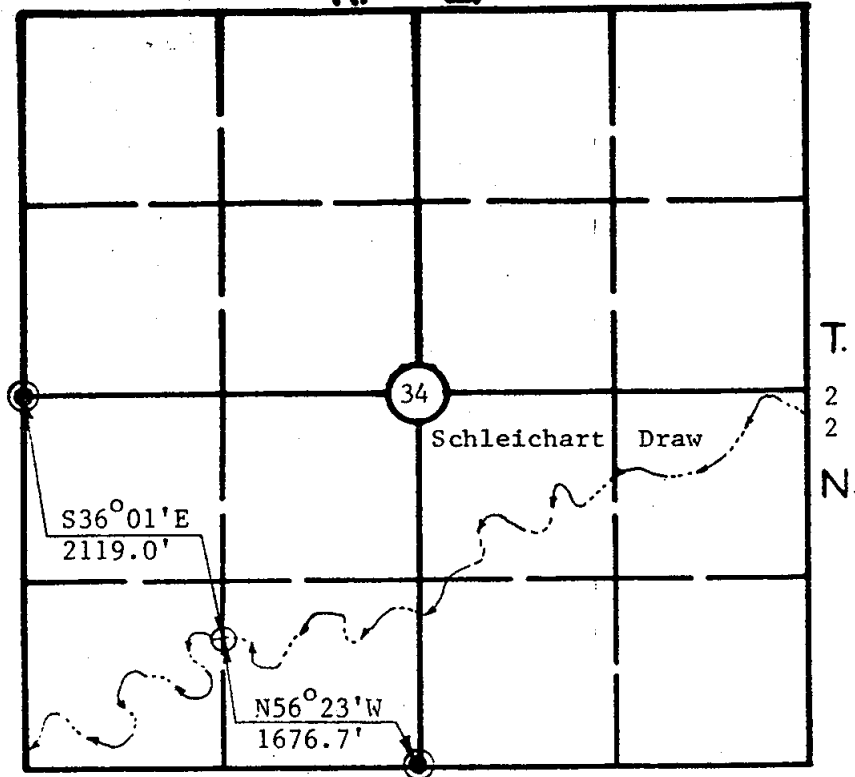
Drainage area above dam 2250 acres



David P. Aicher
Signature of Applicant USFS District Ranger

SCHLEICHART DRAW PROJECT
 SIOUX RANGER DISTRICT
 CUSTER NATIONAL FOREST
 BILLINGS, MONTANA

R. 5 E.



○ PROPOSED SITE
 ● BRASS CAP

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HARDING)

Scale: 1 inch=1320 feet

I, Curtis W. Glasoe of Dickinson, ND do hereby certify that this map was made from Information taken from field survey by me, (or, made under my direction by Steve Volesky for whose work I stand personally responsible), the 13 day of Dec., 19 84, and that it correctly represents the recreation/wildlife habitat works described in the accompanying application, together with a meander of streams and shows accurately the location and area of the lands proposed to be developed in each subdivision.

Curtis W. Glasoe
 Surveyor

Map to accompany

Approved: _____
 State Engineer

Application No. 1354-1

[illegible][illegible][illegible]

Topographic map of the Schleichart area. The map shows contour lines, roads, and various landmarks. A star marks the project location near the Schleichart Reservoir. Other features include Devil's Canyon Spring, Paddalower Spring, and several reservoirs. The map is oriented with North at the top.

Key features and labels on the map:

- Devil's Canyon Spring
- Paddalower Spring
- Schleichart Reservoir
- Schleichart Draw
- High and Dry Reservoir
- Ash Tree Reservoir
- Riley Pass
- Cabin Spring
- Miner's
- X Mine
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A topographic map of the Schleichart area, showing the project location marked with a star. The map includes contour lines, roads, and various landmarks. Key features include:

- Project Location:** Marked with a star in the upper left quadrant, near the intersection of the Schleichart Draw and the Schleichart Reservoir.
- Geographic Features:**
 - Schleichart Draw:** A prominent feature running diagonally across the map.
 - Schleichart Reservoir:** Located in the upper left, near the project location.
 - High and Dry Reservoir:** Located in the lower left.
 - Ash Tree Reservoir:** Located in the bottom left corner.
 - Riley Pass:** Located in the center-right area.
 - Padalower Spring:** Located near Riley Pass.
 - Cabin Spring:** Located near the center-right.
 - Devils Canyon Spring:** Located in the top right corner.
- Topographic Details:**
 - Contour lines indicating elevation, with labels such as 3000, 3100, 3200, 3300, 3400, 3500, 3600, 3700, 3800, 3900, 4000, 4100, 4200, 4300, 4400, 4500, 4600, 4700, 4800, 4900, 5000, 5100, 5200, 5300, 5400, 5500, 5600, 5700, 5800, 5900, 6000, 6100, 6200, 6300, 6400, 6500, 6600, 6700, 6800, 6900, 7000, 7100, 7200, 7300, 7400, 7500, 7600, 7700, 7800, 7900, 8000, 8100, 8200, 8300, 8400, 8500, 8600, 8700, 8800, 8900, 9000, 9100, 9200, 9300, 9400, 9500, 9600, 9700, 9800, 9900, 10000.
 - Section numbers 25, 26, 27, 34, 35, 36.
 - Grid lines with coordinates 3249, 3250, 3251, 3252, 3253, 3254, 3255, 3256, 3257, 3258, 3259, 3260, 3261, 3262, 3263, 3264, 3265, 3266, 3267, 3268, 3269, 3270, 3271, 3272, 3273, 3274, 3275, 3276, 3277, 3278, 3279, 3280, 3281, 3282, 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, 3295, 3296, 3297, 3298, 3299, 3300, 3301, 3302, 3303, 3304, 3305, 3306, 3307, 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3315, 3316, 3317, 3318, 3319, 3320, 3321, 3322, 3323, 3324, 3325, 3326, 3327, 3328, 3329, 3330, 3331, 3332, 3333, 3334, 3335, 3336, 3337, 3338, 3339, 3340, 3341, 3342, 3343, 3344, 3345, 3346, 3347, 3348, 3349, 3350, 3351, 3352, 3353, 3354, 3355, 3356, 3357, 3358, 3359, 3360, 3361, 3362, 3363, 3364, 3365, 3366, 3367, 3368, 3369, 3370, 3371, 3372, 3373, 3374, 3375, 3376, 3377, 3378, 3379, 3380, 3381, 3382, 3383, 3384, 3385, 3386, 3387, 3388, 3389, 3390, 3391, 3392, 3393, 3394, 3395, 3396, 3397, 3398, 3399, 3400, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3409, 3410, 3411, 3412, 3413, 3414, 3415, 3416, 3417, 3418, 3419, 3420, 3421, 3422, 3423, 3424, 3425, 3426, 3427, 3428, 3429, 3430, 3431, 3432, 3433, 3434, 3435, 3436, 3437, 3438, 3439, 3440, 3441, 3442, 3443, 3444, 3445, 3446, 3447, 3448, 3449, 3450, 3451, 3452, 3453, 3454, 3455, 3456, 3457, 3458, 3459, 3460, 3461, 3462, 3463, 3464, 3465, 3466, 3467, 3468, 3469, 3470, 3471, 3472, 3473, 3474, 3475, 3476, 3477, 3478, 3479, 3480, 3481, 3482, 3483, 3484, 3485, 3486, 3487, 3488, 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497, 3498, 3499, 3500, 3501, 3502, 3503, 3504, 3505, 3506, 3507, 3508, 3509, 3510, 3511, 3512, 3513, 3514, 3515, 3516, 3517, 3518, 3519, 3520, 3521, 3522, 3523, 3524, 3525, 3526, 3527, 3528, 3529, 3530, 3531, 3532, 3533, 3534, 3535, 3536, 3537, 3538, 3539, 3540, 3541, 3542, 3543, 3544, 3545, 3546, 3547, 3548, 3549, 3550, 3551, 3552, 3553, 3554, 3555, 3556, 3557, 3558, 3559, 3560, 3561, 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573, 3574, 3575, 3576, 3577, 3578, 3579, 3580, 3581, 3582, 3583, 3584, 3585, 3586, 3587, 3588, 3589, 3590, 3591, 3592, 3593, 3594, 3595, 3596, 3597, 3598, 3599, 3600, 3601, 3602, 3603, 3604, 3605, 3606, 3607, 3608, 3609, 3610, 3611, 3612, 3613, 3614, 3615, 3616, 3617, 3618, 3619, 3620, 3621, 3622, 3623, 3624, 3625, 3626, 3627, 3628, 3629, 3630, 3631, 3632, 3633, 3634, 3635, 3636, 3637, 3638, 3639, 3640, 3641, 3642, 3643, 3644, 3645, 3646, 3647, 3648, 3649, 3650, 3651, 3652, 3653, 3654, 3655, 3656, 3657, 3658, 3659, 3660, 3661, 3662, 3663, 3664, 3665, 3666, 3667, 3668, 3669, 3670, 3671, 3672, 3673, 3674, 3675, 3676, 3677, 3678, 3679, 3680, 3681, 3682, 3683, 3684, 3685, 3686, 3687, 3688, 3689, 3690, 3691, 3692, 3693, 3694, 3695, 3696, 3697, 3698, 3699, 3700, 3701, 3702, 3703, 3704, 3705, 3706, 3707, 3708, 3709, 3710, 3711, 3712, 3713, 3714, 3715, 3716, 3717, 3718, 3719, 3720, 3721, 3722, 3723, 3724, 3725, 3726, 3727, 3728, 3729, 3730, 3731, 3732, 3733, 3734, 3735, 3736, 3737, 3738, 3739, 3740, 3741, 3742, 3743, 3744, 3745, 3746, 3747, 3748, 3749, 3750, 3751, 3752, 3753, 3754, 3755, 3756, 3757, 3758, 3759, 3760, 3761, 3762, 3763, 3764, 3765, 3766, 3767, 3768, 3769, 3770, 3771, 3772, 3773, 3774, 3775, 3776, 3777, 3778, 3779, 3780, 3781, 3782, 3783, 3784, 3785, 3786, 3787, 3788, 3789, 3790, 3791, 3792, 3793, 3794, 3795, 3796, 3797, 3798, 3799, 3800,

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410441

Pierre, May 2, 1986

Sioux Ranger Dist.

RECEIVED OF USDA Forest Service PO Box 48, Camp Crook, SD 57724

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

Fee for Application for Permit No. <u>1354-1</u> to Appropriate Water, to construct works 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. _____		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for _____		
(Any Other Work Provided by Law)	Total	150 00

By John Hatch
Chief Engineer JOHN HATCH/ms



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

April 10, 1986

USDA Forest Service
PO Box 48
Camp Crook SD 57724

Dear Sir:

This letter is in response to your permit application to construct a dam which was received on April 7, 1986. The proposed project is to be constructed by Ducks Unlimited in Section ~~30~~³⁴, T~~17~~²²N, R~~8~~⁵E.

A filing fee must be submitted before the application can be processed. The enclosed instruction sheet outlines the fee structure. The permit application requests a storage capacity of 29.4 acre-feet. Therefore, a filing fee of \$150.00 needs to be submitted with the permit application.

Thank you for your time and consideration.

Sincerely,

RON DUVAL
Natural Resources Engineer

RD:ks

enclosure

Equal Opportunity Employer

REPORT ON APPLICATION NO. 1354-1
USDA, Forest Service
May 6, 1986

The application requests storage of 29.4 acre-feet of water annually in Schleichart Draw by a dam to be located in the S 1/2 SW 1/4 Section 34, T22N, R5E in Harding County. The proposed dam will be constructed by Ducks Unlimited and will be used to provide habitat for wildlife production and livestock water.

Review of Existing Water Rights

No water permit exists downstream which would be adversely affected by the proposed project. A review of the location notices showed no dams for livestock water immediately downstream.

Conclusions

1. Water will be used when it is available from runoff.
2. No existing water rights will adversely be affected.
3. Approval of this permit is in the public interest.
4. Approval of this permit application will not require any qualifications or restrictions other than the 29.4 acre-feet storage limitation.



RASSOOL AHADI
Natural Resources Engineer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1354-1, USDA Forest Service

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1354-1, USDA Forest Service, PO Box 48, Camp Crook SD.

The Chief Engineer is recommending APPROVAL of Application No. 1354-1 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) in the public interest with the following qualification:

Approval of this Permit authorizes storage of up to 29.4 acre-feet of water annually.

See the attached report for additional information.

A handwritten signature in cursive script, reading "John Hatch".

JOHN HATCH, Chief Engineer
May 8, 1986



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

May 9, 1986

Nation's Center News
Box 107
Buffalo, South Dakota 57720

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by USDA Forest Service
Application No. 1354-1, in Harding County, South Dakota. Please
publish this notice once each week for two consecutive weeks in your paper. The
first publication should be on, or before May 14, 1986.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you
make the first publication. The applicant is to pay the cost of publication and
should make the necessary arrangements with you to pay these costs.

A copy of BOTH publications must be sent to the Water Rights Division. IMMEDIATELY
after the FIRST publication, return a copy of the notice with the FIRST Publication
Transmittal form on the bottom of this page. The first copy is needed to check
the publication for errors so any corrections can be made before the second
notice is published.

Please be sure the SECOND publication is returned with the enclosed Proof of
Publication form. The permit application cannot be considered by the Water
Management Board until proof of publication has been recieved.

Thank you for your assistance.

Sincerely,

RON DUVALL
Natural Resources Engineer

RD:ms applicant

***** CUT HERE *****

FIRST No. _____ Date _____
Publication

Transmittal TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

We are in receipt of your letter dated _____ and Notice of Hearing to
Appropriate Water by Application No. _____. The notice was first published
in our issue dated _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

NAME _____ NEWSPAPER _____

Equal Opportunity Employer



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

May 9, 1986

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

U.S.D.A. Forest Service
P.O. Box 48
Camp Crook, South Dakota 57724

Dear Sir:

Your Application No. _____ for a permit to appropriate water for

wildlife & stockwater use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Nation's Center News printed at Buffalo

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your notice
of intent to appropriate water and to arrange for payment. Early contact with
the paper can eliminate delays. The publisher has been instructed to publish
your notice once each week for two consecutive weeks with the last publication
to occur at least thirty days before the board meeting. We must receive
Proof of Publication before the application can be considered by the Water
Management Board.

Sincerely,

RON DUVALL
Natural Resources Engineer

RD:ms
enclosures



AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

) SS.

COUNTY OF HARDING)

Linda Stephens of said County and State, being duly sworn, on his oath, says: That the NATION'S CENTER NEWS is a weekly newspaper of general circulation, printed and published in the Town of Buffalo, in said County and State by Linda Stephens, owner and has been such newspaper during the time hereinafter mentioned and that I, Linda Stephens, the undersigned, am owner of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit; and the advertisement headed Notice Of Hearing On App. # 1354-1

_____ a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper and not in any supplement, once each week for - 2 successive weeks.

The first publication being made on the 14th day of May 1986

The second publication being made on the 21st day of May 1986

The third publication being made on the _____ day of _____ 19____

The fourth publication being made on the _____ day of _____ 19____

The last publication being made on the _____ day of _____ 19____

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Harding for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in English in an office maintained in Buffalo, South Dakota, the place of publication of said newspaper. That the full amount of the fees for the publication of the annexed notice is \$ 38.78 and inures solely to the benefit of said publishers; that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any person whomsoever.

Linda Stephens

Subscribed and sworn to before me this 23rd day of May 1986

Walter Stephens
6-87

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by June 20, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

quest for extension must be filed with the Chief Engineer by June 20, 1986.
§ 14-21

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg. Pierre, SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The re-

NOTICE OF HEARING

On Application No. 1354-1
To Appropriate Water

Notice is hereby given that the U.S.D.A. Forest Service whose mailing address is P.O. Box 48, Camp Crook, South Dakota has made an application for a permit to store 29.4 acre-feet of water annually in a dam on Schleicht Draw to be located in the S $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34-T22N-R5E. The dam will be used to provide habitat for wildlife production and water for livestock.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1354-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD, July 1, 1986 at 10:00 a.m.

Wednesday, May 21, 1986

Instruction to Newspaper - Publish first publication of the following Notice on or before May 14, 1986 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1354-1 to Appropriate Water
and/or to Amend Water Permit or Water Right No. _____

Notice is hereby given that the U.S.D.A. Forest Service whose mailing address is
P.O. Box 48, Camp Crook, South Dakota has made an application for a permit

to store 29.4 acre-feet of water annually in a dam on Schleichart Draw to be located
in the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 34-T22W-R5E. The dam will be used to provide habitat for
wildlife production and water for livestock.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends
APPROVAL of Application No. 1354-1 because 1) unappropriated water is available,
2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and
4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe
Foss Building, 523 E. Capitol, Pierre, SD, July 1 19 86 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by June 20, 1986. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; ~~(ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-38 thru 46-5-40, (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 20, 1986.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

AUG 18 1986

USDA Forest Service
PO Box 48
Camp Crook, South Dakota 57724

Dear Sir:

Enclosed herewith is your Water Permit No. 1354-1 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 1354-1.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83

WATER RIGHTS DIVISION
(605) 773-3352

August 20, 1986

David P. Aicher, District Ranger
USDA Forest Service
PO Box 48
Camp Crook, South Dakota 57724

Dear Mr. Aicher:

Enclosed are receipt Nos. 410440 and 410442 in the amount of \$50.00 each which you paid for inspection and issuance of the Water License for Water Permit Nos. 1354-1 and 1355-1. A copy of the receipts will remain on file in our office.

The licenses for these permits cannot be issued until the projects are completed and an inspection of each conducted by our office. You should notify our office when the projects are completed and ready for inspection.

Usually, the fees for inspection and issuance of the water license are not paid until after the inspection has been completed. However, in your case, since the fees have been paid, you will not be billed again after the inspection. As stated before, copies of your receipts remain on file. If something should happen, and you do not pursue completion of the project, you should notify our office so that the license fees can be returned to you.

If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410442

Pierre, May 2, 19 86

RECEIVED OF USDA Forest Service, Sioux Ranger Dist., PO Box 48, Camp Crook SD 57724
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. <u>1354-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH (ms)

Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by USDA Forest Service
 _____ of P.O. Box 48, Camp Crook, S.D. 57724 holder of
 Permit No. 1354-1, bearing the priority of April 7 19 86 authorizing
 the ^{storage} ~~diversion~~ of 29.4 ^{acre-feet} ~~cfs per second~~ of the waters of Schleichart Draw
 for wildlife-stockwater purposes, in Harding County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

The dam is used to store water for
 purpose of providing habitat for waterfowl
 and also for stockwatering.

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

C. Works used to apply water to beneficial use:

The system is in the following condition good

The point of diversion is located approximately 1760 feet east, 960 feet north from the Southwest
corner of Section 34, T22N-R5E (SE $\frac{1}{4}$ SW $\frac{1}{4}$)

The works are capable of diverting and conveying to the place of use 29.4
^{acre-feet}
~~cfs per second~~ of water which is to be used for providing habitat for waterfowl and livestock watering

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

see above
_____comprising a total of NA acres of land and the license should be issued for 29.4 ~~cfs~~ ac. ftApplicable permit qualifications have been complied with X Yes _____ NoExceptions to compliance are: _____ Date 9/27/88_____
(signature)*M. Shadi*

1. Legal location of wells: NA

dams & structures: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, T22N-R5E

2. Well Information: Well Drilling Firm NA

No. of wells _____ Depth _____

Casing a) diameter _____
b) length _____
c) type _____

Screen a) type _____
b) length _____
Static Water Level _____

Pump a) make _____
b) model _____
c) size _____
d) capacity _____ GPM
e) turbine pump
no. of stages _____

Motor a) make _____
b) model no. _____
c) horsepower rating _____
d) motor efficiency rating _____

3. Distribution lines:

a) size of lines _____
b) type _____
c) length _____

4. Dam information:

a) height to crest 15 feet
b) height to spillway 10 feet
c) crest width 12 feet
d) crest length 380 feet
e) spillway length 250 feet
f) spillway width 70 feet
g) approx. storage 29.4 acre-feet
h) Distribution lines or canals:

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

1) size _____
2) type _____
3) length _____

5. System Type: a) sideroll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

___ NA ___

X ___

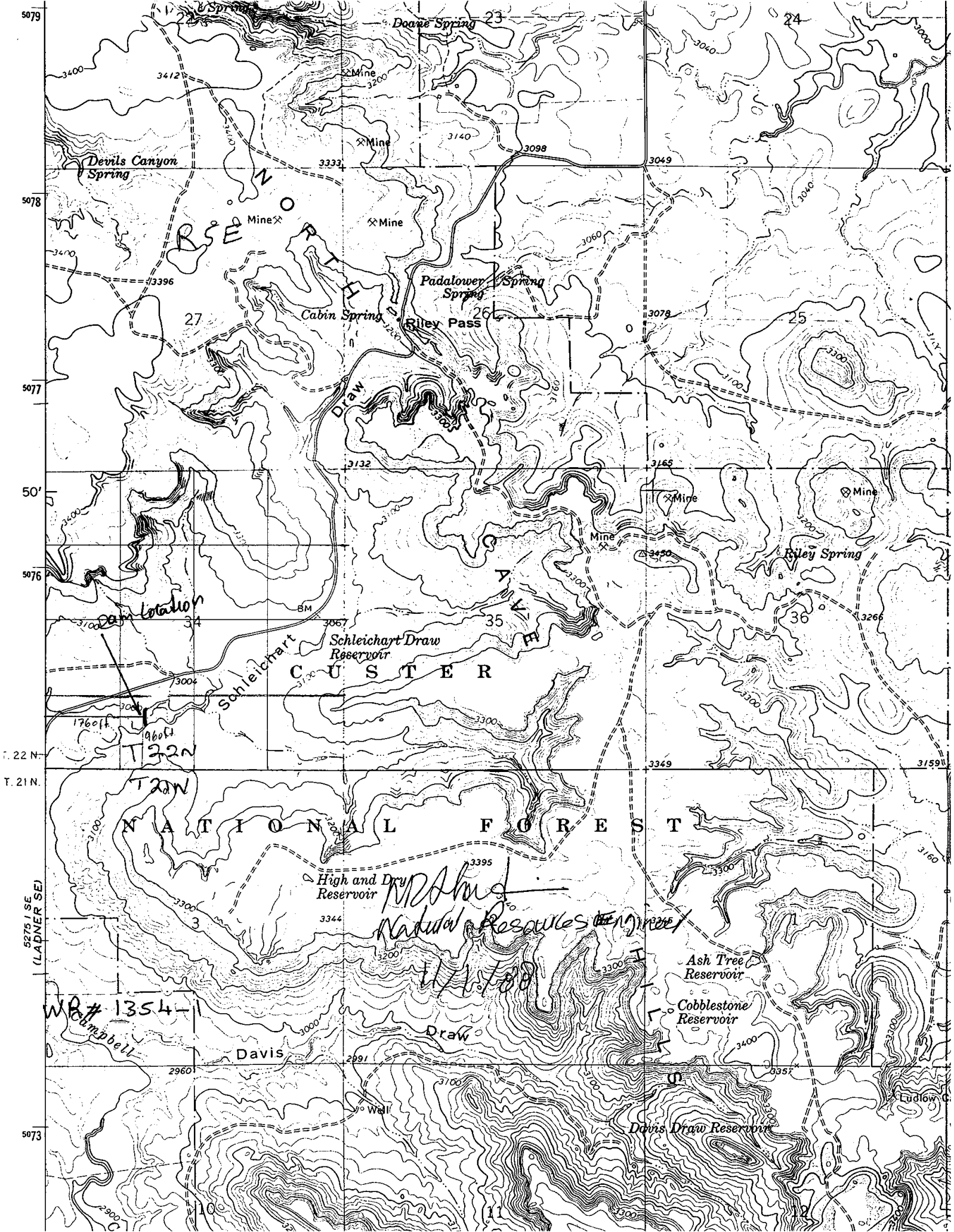
X ___

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

2. Special Qualifications to permit being abided by.

3. All Structures, wells and lands on map.

REMARKS:



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1354-1

(1) The USDA Forest Service of P.O. Box 48, Camp Crook, South Dakota, 57724 made Application No. 1354-1, April 7, 1986 for a water permit to store 29.4 acre feet of water annually in a dam on Schleichart Draw, Harding County, South Dakota for wildlife propagation and livestock watering purposes. Permit No. 1354-1 with a priority date of April 7, 1986 was approved July 1, 1986 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before July 1, 1991 and for the application to beneficial use of said water on or before July 1, 1995.

(2) It is certified that the applicant 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 store 29.4 acre feet of water annually for beneficial use. The location of the storage dam is 1760 feet east and 960 feet north of the SW corner of Section 34, T22N, R5E (SE1/4 SW1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. The dam provides habitat for waterfowl and is also used for livestock watering.

(4) Pursuant to Section 46-5-30.1 the USDA Forest Service of P.O. Box 48, Camp Crook, South Dakota, 57724 the holder(s) and/or owner(s) of Water Permit No. 1354-1 is issued a license to appropriate water, the right to store 29.4 acre feet of water annually in a dam on Schleichart Draw with a priority date of April 7, 1986 from the location specified in (2) of this license. This license is subject to any limitations or qualifications listed in Water Permit No. 1354-1 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources

SEP 14 1989

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

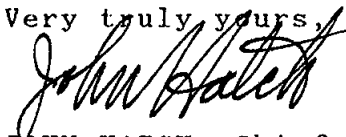
SEP 14 1989

David P. Aicher, District Ranger
USDA Forest Service
P.O. Box 48
Camp Crook, SD 57724

Dear Sir:

Enclosed are Water License Nos. 1354-1 and 1355-1. They are the final water right documents completing your process of obtaining water rights.

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.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

