

Considered: _____

WATER PERMIT NO. 1531-1

Phone: 605 985-5295

Name of Applicant: Darrell Wilcox

Post Office Address: HC 78, Box 9, Union Center SD 57787

Amount of Water Claimed: ^{29.5}46.2 ac-ft Total Acres: NA

Source of Water Supply: runoff

Water to be used for: domestic use County: Meade

About 20 miles NW of Union Center

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 9-23-91 Fee: \$150.00 Remarks _____

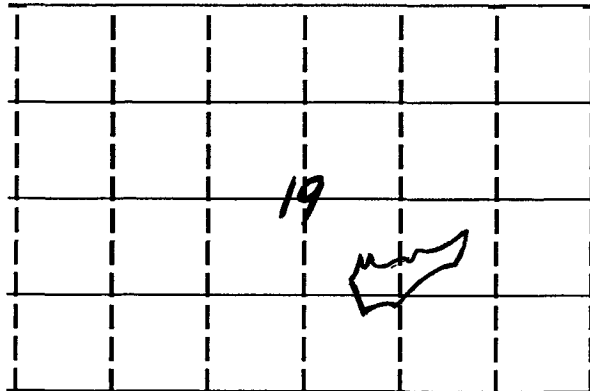
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: W 1/2 SE 1/4 Sec 19-T9N-R10E

Land to be Irrigated: _____



Well Log: Driller: NA Licensed YES _____ NO _____

Depth of Well: _____ REMARKS _____

Type of Map: plat PREPARED BY: Thomas Verhelst Reviewed and the Number

Assigned on 9-25-91 By Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT No. 1531-1**

Date of first receipt of application September 23, 1991.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1531-1 to Darrell Wilcox, HC 78, Box 9, Union Center SD 57787 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. 1531-1 to impound 29.5 acre-feet of runoff water by constructing a dam in the W 1/2 SE 1/4 Section 19-T9N-R10E. Water will be impounded in the SE 1/4 Section 19-T9N-R10E.
2. The water appropriated shall be used for the purpose of livestock watering and may not exceed the amount of water needed for beneficial use for domestic purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 1531-1 is February 4, 1992.
5. The date from which applicant may claim right is September 23, 1991.
6. One-fifth of the construction is to be completed on or before August 4, 1994.
7. All construction is to be completed on or before February 4, 1997.
8. Water is to be put to beneficial use on or before February 4, 2001.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
2. Water Permit No. 1531-1 authorizes storage of 29.5 acre-feet of water annually.

WATER MANAGEMENT BOARD

By: _____

Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

MAR 24 1992

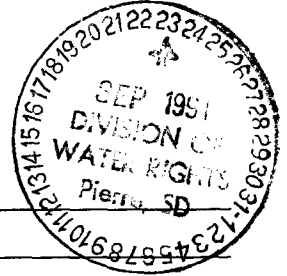
_____ date

523 E. Capitol
Pierre, SD 57501
(605) 773-3352No. 1531-1 Hydrologic Unit 10120202
Map No. _____ Basin Belle Fourche
Newspaper Meade Co Times-Tribune, Box 69

Sturgis 57785 (Wed)

Application For Permit To Appropriate Water Within The State Of South DakotaCheck use of water: Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
Domestic ☒ (above 18gpm) Other ☐

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 Darrell Wilcox Phone No. 605-985-5295Post Office Address HC-78 Box 9 Union Center State S.D. 57787
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) 29.5 acre-feet3. Source of water supply Runoff4. Location of point of diversion 194 rods south and 200 rods east of the
northwest corner of Sec 19, T9N - R10E (W 1/2 SE 1/4)County Meade5. Counties where water will be used Meade6. Annual period during which water is to be used Jan. 1 thru Dec. 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)

A proposed 5700 cubic yard fill is planned to be placed across a non-navigatable stream to create a pond for livestock use.

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 Meade)^{ss}I, Darrell L Wilcox 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.Signed Darrell L WilcoxSubscribed and sworn to before me this 17th day of Sept 1991Darrell L Wilcox

Notary Public

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) _____

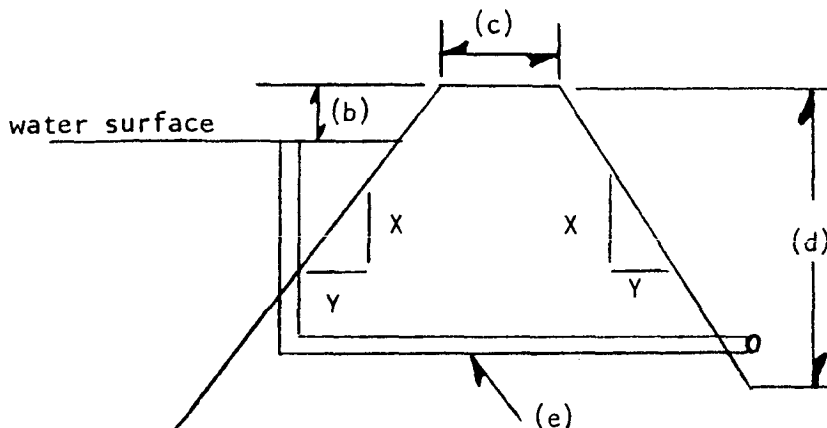
3. Water Storage Dams

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

Soil Conservation Service
Box 399
Faith, SD 57626

- b) Freeboard 3'
- c) Crest Width 12'
 Crest Length 425'
- d) Height 16'



- e) Outlet Dimensions:
 Pipe diameter N/A
 Spillway width 68'
- f) X & Y Slope
 Upstream 3:1 SS
 Downstream 2:1 SS

Surface Area of Impoundment 11.0

Storage 46.2 acre feet

Drainage area above dam 679

* Daniel L Wilcox
 Signature of Applicant

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412840

Pierre, _____ September 25, 19 91

RECEIVED OF Mr. or Mrs. Darrell Wilcox, HC 78, Box 9, Union Center, SD 57787

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

Fee for Application for Permit No. <u>1531-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____	15000
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	15000

By John Hatch
Chief Engineer



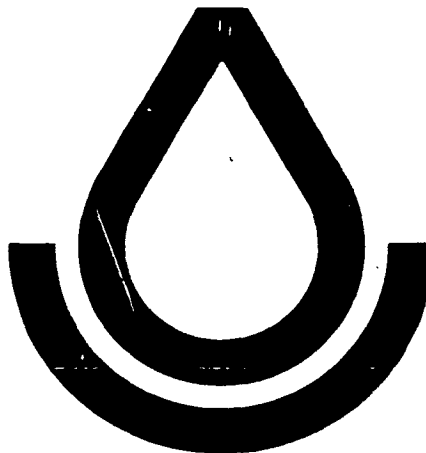
CONSTRUCTION SPECIFICATIONS

for

DARRELL WILCOX

DAM

MEADE CO.



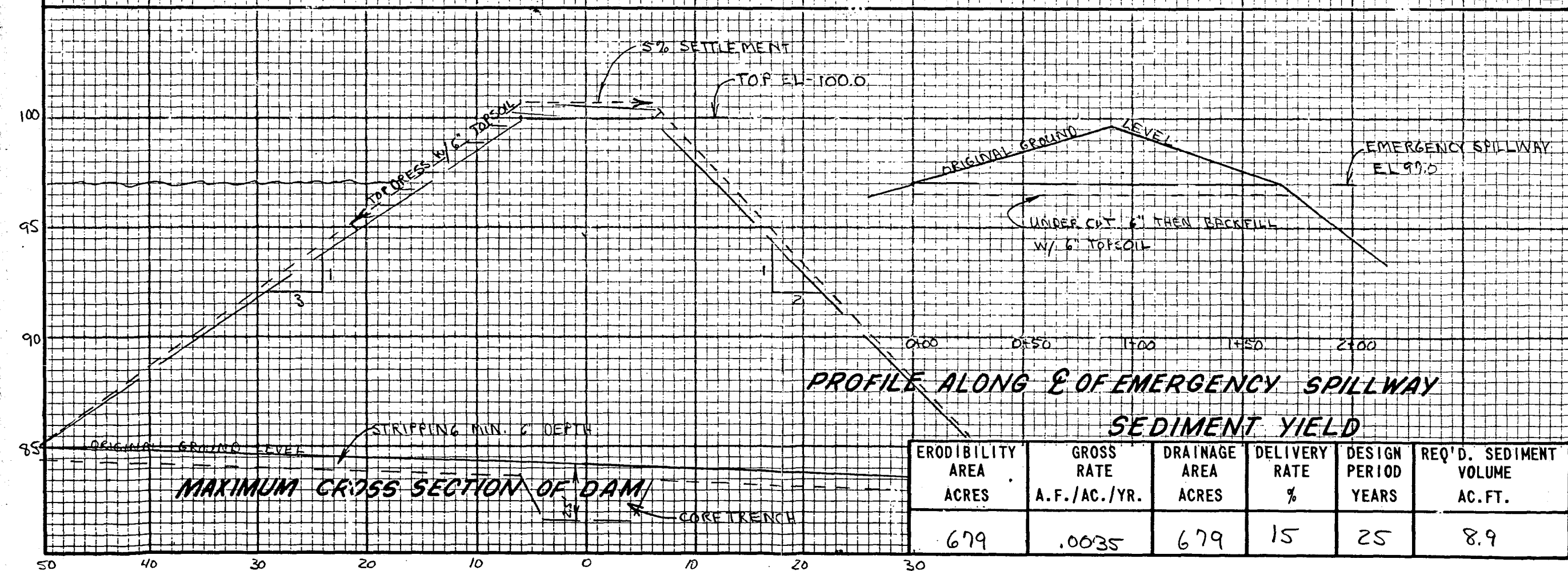
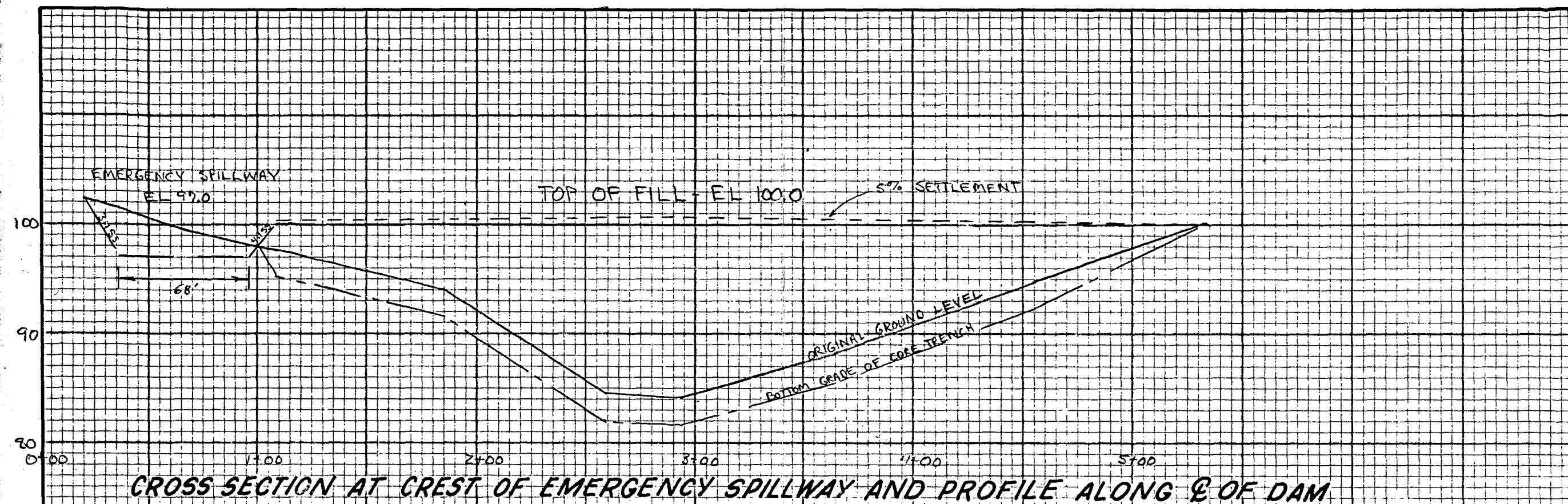
Prepared by:

USDA, SOIL CONSERVATION SERVICE

A.O.

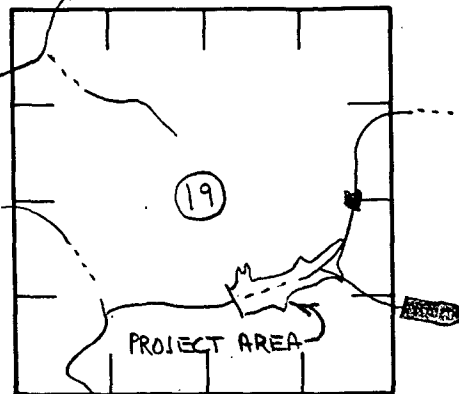
Assisting:

TRI-COUNTY Conservation District



STRUCTURE DATA

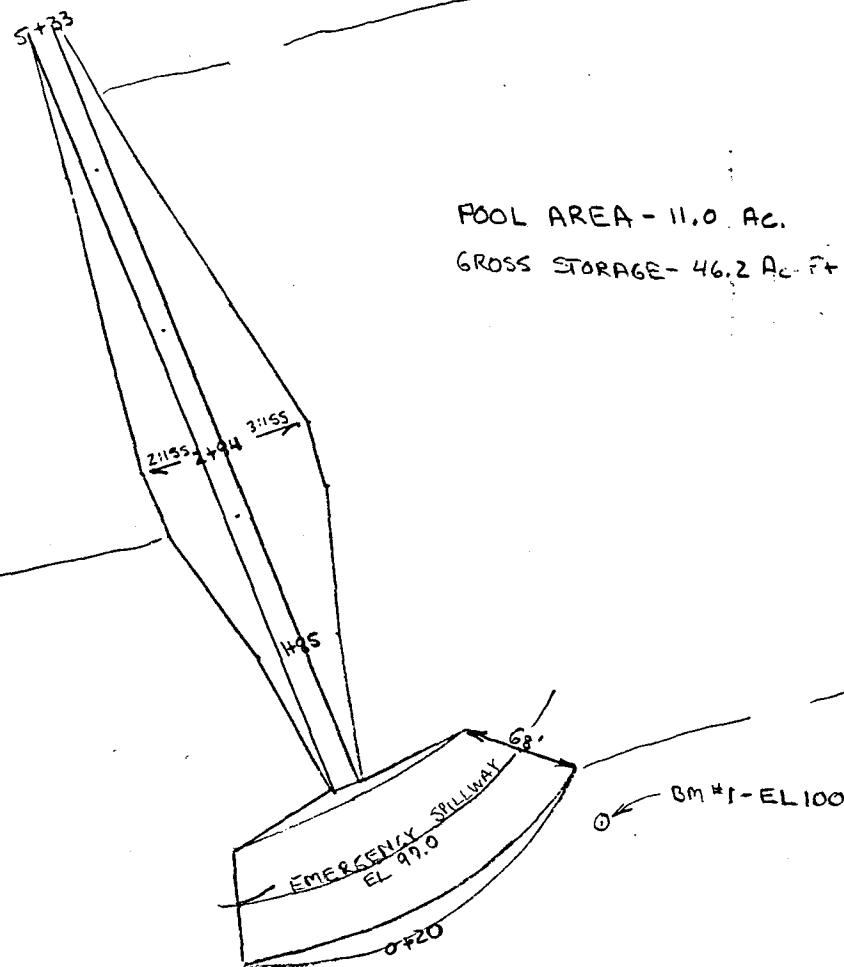
DRAINAGE AREA	ANNUAL YIELD	PEAK RUNOFF	EMERG. SPLWY. CAPACITY	WATER DEPTH	SURFACE AREA	SEDIMENT STORAGE	TOTAL STORAGE
ACRES	AC. FT.	25-YR.	C. F. S.	FEET	ACRES	AC. FT.	AC. FT.
679	17.0	385	369	12.0	11.0	8.9	37.3



Sec. 19 T. 9N R. 10E
MEADE County

LOCATION

TABLE OF QUANTITIES

[illegible]

TYPICAL CROSS SECTION OF DAM

S.D. CONSTRUCTION AND MATERIAL SPECIFICATIONS:

SO-9S EARTHFILL-CLASS 5
SO-10 SALVAGING & SPREADING TOPSOIL

SO-10 SALVAGING & SPREADING TOPSOIL

JOB PLAN NO. 1.0

EARTH DAM-CLASS "A"

OPERATOR: DARRELL WILCOX

CONSERVATION DISTRICT: TRI-COUNTY

GPCD-CIN #6 FIELD 3

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed T. VERHELST Date 8/91 Approved by Thomas D. Verhelst
Title Pa. Engineer

Drawn: T. VERHELST 8/91

Traced	Title	
	Sheet	Drawing No.

Checked	No
---------	----

U.S. GOV. PRINTING OFFICE: 1975-668-538

SKETCH PLAN OF DAM AND RESERVOIR AREA

Approximate scale 1" = 100'

REFERENCE: GUIDE PLAN NO. 1.0

JOB PLAN NO. 1.0

Conversation or File Documentation

NAME OF PERSON OR FILE: Tom Ver HelstADDRESS: Belle Fourche SCS Office COUNTY DATE: November 12, 1991 TELEPHONE 892-2782RE: Water Permit Application No. 1531-1, Darrell Wilcox

COMMENTS:

I talked to Tom Ver Helst today about Water Permit Application No. 1531-1 for Darrell Wilcox. The dam for this application will have a Maximum Storage Capacity (Top of Dam) of 46.2 Ac-Ft with a Surface Area of 11 Acres and a Normal Storage Capacity (Spillway Elev.) of 29.5 Ac-Ft with a Surface Area of 8.2 Acres. This dam will need a Water Right since it stores more than 25 Ac-Ft but will not need to follow Safety of Dams Rules since it does not store 50 Ac-Ft.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Toni Schaal

REPORT ON
WATER RIGHT APPLICATION NO. 1531-1
DARRELL WILCOX
NOVEMBER 12, 1991

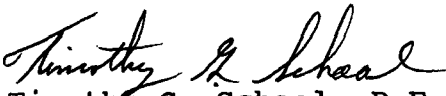
Water Permit Application No. 1531-1 was submitted by Darrell Wilcox to store 29.5 acre-feet of water in a dam located in the W 1/2 SE 1/4 of Section 19-T9N-R10E, Meade County. The dam is being constructed to provide water for livestock use.

Discussion:

The proposed dam has been designed by the Soil Conservation Service and will be 16 feet high. It will have a Maximum Storage Capacity (Top of Dam) of 46 acre-feet with a surface area of 11 acres, and a Normal Storage Capacity (Spillway Elevation) of 29.5 acre-feet with a surface area of 8.2 acres. This dam will not be large enough to be subject to Safety of Dams requirements. The dam will have a drainage area of 679 acres with an expected annual yield of 17 acre-feet. The dam will have a spillway capable of passing the 25 year event. There are no existing Water Rights/Permits that would be adversely affected by this application.

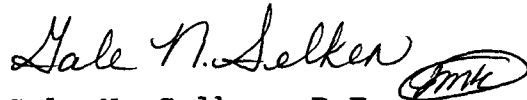
Conclusion:

1. Water Permit Application No. 1531-1 should be approved since there is reasonable probability that unappropriated water is available.



Timothy G. Schaal, P.E.
Natural Resources Engineer III

Approved by:



Gale N. Selken, P.E.
Natural Resources Engineer IV

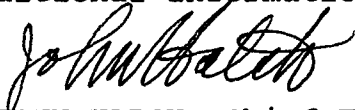
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1531-1, Darrell Wilcox

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 1531-1, Darrell Wilcox, HC 78 Box 9, Union Center, SD 57787.

The Chief Engineer is recommending APPROVAL of Application No. 1531-1 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 qualifications:

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
2. Water Permit No. 1531-1 authorizes storage of 29.5 acre-feet of water annually.

See report on application for additional information.


JOHN HATCH, Chief Engineer
November 18, 1991



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

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

December 30, 1991

Darrell Wilcox
HC 78 Box 9
Union Center, SD 57787

Dear Mr. Wilcox:

Water Permit Application No. 1531-1 for domestic use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Meade County Times-Tribune printed at Sturgis, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing 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 twenty days before the board meeting. The newspaper has 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.



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

December 30, 1991

Meade County Times-Tribune
Box 69
Sturgis, SD 57785

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1531-1 to be published twice. Please publish the first notice on January 8, 1991, with the second publication 7 days later.

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 Darrell Wilcox, HC 78 Box 9, Union Center, SD 57787.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST 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 in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on January 8, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1531-1 to Appropriate Water

Notice is given that Darrell Wilcox, HC 78 Box 9, Union Center, SD 57787 has filed an application for a water permit to impound 29.5 acre-feet of runoff water by constructing a dam in the W 1/2 SE 1/4 Section 19-T9N-R10E. Water will be impounded in the SE 1/4 Section 19-T9N-R10E and will be used for livestock watering.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1531-1 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, 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 January 27, 1992. 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.

For purposes of publishing 1) the notice of hearing on Application No. 1531-1 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for February 4, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the February 4, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The February 4, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by January 27, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Meade) ss.

I, Dorothy Allison

certify that the attached printed Notice was taken
 from the Meade County Times-Tribune

A newspaper which during the whole time of publication of
 said notice herein after stated, has been and is printed and
 published in the City of Sturgis

State South Dakota of

County of Meade and State of South Dakota;
 that the said notice was published in said newspaper on the
 following two dates:

January 8, 1992

January 15, 1992

Dorothy Allison
 (Signature)

Corporate officer
 (Title)

January 15, 1992

(Date Signed)

Cost of Printing: 64²⁶



Permit Sought

NOTICE OF HEARING
on Application No. 1531-1

to Appropriate Water

Notice is given that Darrell Wilcox, HC 78 Box 9, Union Center, SD 57787 has filed an application for a water permit to impound 29.5 acre-feet of runoff water by constructing a dam in the W 1/2 SE 1/4 Section 19-T9N-R10E. Water will be impounded in the SE 1/4 Section 19-T9N-R10E and will be used for livestock watering.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1531-1 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, 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 January 27, 1992. 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.

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~~If a hearing is held, the Chief~~
Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-3, 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.

Publ. Jan. 8, 15, 1992

Meade County Times-Tribune



MAR 24 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

Darrell Wilcox
HC 78 Box 9
Union Center, SD 57787

Dear Mr. Wilcox:

Enclosed is Water Permit No. 1531-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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 the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

December 29, 1999

1531-1

Darrell Wilcox
HC 78, Box 9
Union Center, SD 57787

Dear Mr. Wilcox:

The investigation of your water use system was conducted on September 2, 1999, by Tim Schaal, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1531-1. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

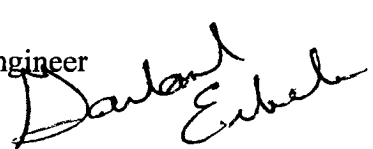
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

April 26, 2000

Permit No. 1531-1

REMINDER NOTICE

TO: Darrell Wilcox
HC 78, Box 9
Union Center, SD 57787

FROM: Garland Erbele, Chief Engineer
Water Rights Program 

SUBJECT: Water License/Investigation Fee Requirement

On December 29, 1999, we advised you that a \$50.00 fee is due for the completed investigation of Water Permit No. 1531-1. The fee also covers issuance of your water license which is the final document in obtaining and perfecting a water right.

To date, we have not received the \$50.00 fee; therefore, we can not issue the water license. Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by any permit requirements.

Please remit the fee as soon as possible to obtain your water license. In addition, South Dakota water law does not allow water to be diverted until the license fee is paid. To avoid jeopardizing your ability to use water, please send the fee to the following address:

Department of Environment and Natural Resources
Water Rights Program
523 E Capitol
Pierre SD 57501-3181

Thank you for your prompt response. If you have any questions or believe our records are in error, please contact Genny McMath at (605) 773-3352.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Darrell Wilcox
HC 78, Box 9
Union Center, SD 57787

"2"
1531-1

4a. Article Number

P 422 707 498

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

04-27-00

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Monica Wilcox*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

Nº 416488

Pierre, May 1, 2000

RECEIVED OF Darrellor Monica Wilcox, HC 78, Box 9, Union Center, SD 57787
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. 1531-1

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Sharon Esbels
Chief Engineer

Permit No. 1531-1
Belle Fourche 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, September 2, 1999, made a thorough examination of the water use system constructed by Darrell Wilcox of HC 78, Box 9, Union Center, SD 57787 holder of Permit No. 1531-1, bearing the priority of September 23, 1991, authorizing the storage of 29.5 acre-feet of the waters of runoff for livestock use purposes, in Meade County.

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

A. Works used to divert the water:

16 foot high earth dam with 29.5 acre-feet storage capacity

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

N/A

C. Works used to apply water to beneficial use:

16 foot high earth dam with 29.5 acre-feet storage capacity

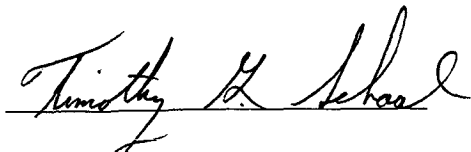
The system is in the following condition **Good**. The point of diversion is located 1550 feet north & 3350 feet east of the SW corner of Sec. 19-T9N-R10E (NW 1/4 SE 1/4). The works are capable storing 29.5 acre-feet of water which is to be used for livestock use. Water has been put to beneficial use to the maximum extent as follows:

16 foot high earth dam with 29.5 acre-feet storage capacity

and the license should be issued for 29.5 acre-feet of storage.

Applicable permit qualifications have been complied with: Yes **X**

Exceptions to compliance are: None Date Report Completed: December 16, 1999



Timothy G. Schaal, P.E.
Natural Resources Engineer
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 1531-1

Other permit(s) associated with the project: XXXX

DATE OF INSPECTION: September 2, 1999

NAME & ADDRESS OF INSPECTION CONTACT/ Darrell Wilcox

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Darrell Wilcox, HC 78, Box 9, Union Center, SD 57787

DIVERSION POINT LEGAL LOCATION: 1550 feet north & 3350 feet east of the SW corner of Section 19-T9N-R10E (NW 1/4 SE 1/4).

DAM INFORMATION:

- 1) Height to crest 16 feet
- 2) Height to primary spillway 13 feet
- 3) Height to secondary spillway N/A feet
- 4) Crest width 12 feet
- 5) Crest length 425 feet
- 6) Spillway length XXX feet
- 7) Spillway width 68 feet
- 8) Approx. storage (Normal) 29.5 acre-feet
- 9) Approx. storage (Maximum) 46 acre-feet
- 10) Date constructed: 1992

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by Yes
- 3) All structures, wells and lands on map Yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A

U14
(9-10)

T3172

T3175

19

NW 1/4 SE 1/4

Dam

3350'

1550'

U14
(9-10)

Water Permit No. 1531-1

Timothy L. Schaal
December 16, 1998

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1531-1

(1) Darrell Wilcox, HC 78, Box 9, Union Center SD 57787 made Application No. 1531-1, September 23, 1991 for a water permit to impound 29.5 acre-feet of water from runoff, Meade County, South Dakota for livestock watering purposes. Permit No. 1531-1, with a priority date of September 23, 1991 was approved February 4, 1992 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 4, 1997 and for the application to beneficial use of said water on or before February 4, 2001.

(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 storage dam and is entitled to impound 29.5 acre-feet of water for beneficial use with sufficient water annually to maintain the water level to the outlet elevation. The location of the storage dam (spillway) is 1,550 feet north and 3,350 feet east of the southwest corner of Section 19-T9N-R10E (NW 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.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Darrell Wilcox, HC 78, Box 9, Union Center SD 57787 the holder and/or owner of Water Right No. 1531-1 is issued a license to appropriate water, the right to impound 29.5 acre-feet of water from runoff with sufficient water annually to maintain the water level to the outlet elevation with a priority date of September 23, 1991 from the location specified in (2) of this license for livestock watering purposes. This license is subject to any limitations or qualifications listed in Water Right No. 1531-1 and subject to South Dakota State Law.

Garland Erbele

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

MAY 12 2000

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

MAY 12 2000

1531-1

Darrell Wilcox
HC 78, Box 9
Union Center, SD 57787

Dear Mr. Wilcox:

Enclosed is Water License No. 1531-1 and Receipt No. 416488 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 1531-1 is the final document which completes the process of obtaining a water right.

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.

Sincerely,

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

ks
enclosures

Dewell, Amanda

From: Dewell, Amanda
Sent: Friday, August 30, 2024 11:09 AM
To: Daniel Chester
Cc: Chad Welch
Subject: RE: [EXT] SBRRU Hydrostatic Testing
Attachments: 3489.pdf

Dan & Chad –

Please find attached Temporary Permit No. 3489 authorizing the use of groundwater from the Fox Hill Formation for hydrostatic testing purposes.

With Continental Resources Inc being the holder of Water Right No. 1535-1, this temporary permit is in all likelihood not necessary, however, with Permit No. 1627-1 still being in the name of another company, we're issuing it out of precaution.

[1535-1](#) presently held by Continental Resources Inc. authorizes the diversion of 0.033 cfs (15 GPM) from two wells completed into the Fox Hills Formation for "commercial purposes".

[1627-1](#) increases the diversion authority of 1535-1 by an additional 0.056 cfs (25 GPM).

While ownership of Water Right No. 1535-1 was transferred to Continental Resources Inc in 2006, Permit No. 1627-1 remains in the name of Koch Exploration Co.

1. Was the additional 0.056 cfs developed? If it was, the two wells should have a combined production ability of 40 GPM.
2. If the additional diversion rate was developed, a [Notice of Transfer of Ownership](#) needs to be filed for Permit No. 1627-1
3. If the additional diversion rate was not developed, the Water Rights Program would pursue cancellation of Permit No. 1627-1 due to non-construction.

Please review the above information and get back to me at your earliest convenience & have a great long weekend!

Amanda Dewell
DANR - Water Rights Program
Permitting Administrator
Main Phone: 605 773-3352
Website: danr.sd.gov



From: Daniel Chester <Daniel.Chester@clr.com>
Sent: Friday, August 30, 2024 9:44 AM
To: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Cc: Chad Welch <Chad.Welch@clr.com>
Subject: RE: [EXT] SBRRU Hydrostatic Testing

Amanda,