

WATER PERMIT NO. 1595-1

Phone: 538-4426

Name of Applicant: Harold R. Wall

Post Office Address: Box 8, Dupree SD 56723

Amount of Water Claimed: 48 acre-feet Total Acres: \_\_\_\_\_

Source of Water Supply: runoff

Water to be used for: domestic County: Ziebach

About 12 miles south of Dupree

PRIORITY Date Received: 1-10-94 Fee: \$150.00 Remarks: Repairing

an existing dam

Corrected Application Received: 1-27-94 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: quarter-quarter line between the

SE 1/4 SW 1/4 Sec 10 and the NE 1/4 NW 1/4 Sec

15; all in T10N-R21E

Land to be Irrigated: \_\_\_\_\_

|  |    |  |    |  |    |
|--|----|--|----|--|----|
|  |    |  |    |  |    |
|  | 9  |  | 10 |  | 11 |
|  |    |  | D  |  |    |
|  | 16 |  | 15 |  | 14 |
|  |    |  |    |  |    |

Well Log: Driller: \_\_\_\_\_ Licensed YES \_\_\_\_\_ NO \_\_\_\_\_

Depth of Well: \_\_\_\_\_ REMARKS: \_\_\_\_\_

Type of Map: plat PREPARED BY: Tom Verhelst, SCS Reviewed and the Number

Assigned on: 1-27-94 By: Karen Schlaak

**SOUTH DAKOTA  
WATER PERMIT NO. 1595-1**

Date of first receipt of application January 10, 1994.

Date of return to applicant for corrections, amendments or changes January 11, 1994.

Date of receipt of corrected application January 27, 1994.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1595-1 to Harold R. Wall, Box 8, Dupree SD 57623 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. 1595-1 authorizes impoundment of 48 acre-feet of runoff water in an existing dam located on the quarter-quarter line between the SE 1/4 SW 1/4 Section 10 and the NE 1/4 NW 1/4 Section 15; all in T10N-R21E. Water is impounded in the SE 1/4 SW 1/4 Section 10 and the NE 1/4 NW 1/4 Section 15; all in T10N-R21E.
2. The water appropriated shall be used for the purpose of supplying water for livestock watering and may not exceed the amount of water needed for beneficial use for livestock watering 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. 1595-1 is April 4, 1994.
5. The date from which applicant may claim right is January 10, 1994.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

**QUALIFICATION**

Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.

**WATER MANAGEMENT BOARD**

By:   
John Hatch, Chief Engineer  
Water Rights Division  
Department of Environment and Natural Resources

MAY 26 1994  
date

(See instructions)

|                                                  |                                 |
|--------------------------------------------------|---------------------------------|
| No. <u>1595-1</u>                                | Hydrologic Unit <u>10180112</u> |
| Basin <u>Lower Cheyenne</u>                      |                                 |
| Newspaper <u>West River Progress, Gettysburg</u> |                                 |

## Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

- Type of Application: ☐ New ☐ Vested Right ☐ Amend Permit No. \_\_\_\_\_
- ☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
- ☐ Add Acreage ☐ Increase diversion rate ☐ Other \_\_\_\_\_
- Name of Applicant Harold R. Wall Phone No. 538-4426  
Post Office Address Box 8 Durand State SD 57223  
(Street, RR or Box) (City) (Zip Code)
  - Amount of water claimed (c.f.s.) 202 4BAF Total acres irrigated N/A
  - Source of Water supply Runoff
  - Location of point of diversion 2200' East of the Southwest corner of Sec 10 T10N-R21E  
quarter-quarter line between SE 1/4 SW 1/4 Sec 10 and the NE 1/4 NW 1/4 Sec 15; all T10N-R21E  
Water impounded: SE 1/4 SW 1/4 Sec 10 and NE 1/4 NW 1/4 Sec 15; County Ziebach  
all T10N-R21E
  - Counties where water will be used Ziebach
  - Annual period during which water is to be used Jan - Dec 31
  - List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

| Land Description | No. Acres Irr. | Land Description | No. Acres Irr. |
|------------------|----------------|------------------|----------------|
| <u>N/A</u>       |                |                  |                |
|                  |                |                  |                |
|                  |                |                  |                |
|                  |                |                  |                |

Attach sheet if more space is needed

- Type of Irrigation: Gravity: \_\_\_\_\_ Towline: \_\_\_\_\_ Center Pivot: \_\_\_\_\_ Gun: \_\_\_\_\_ Other: \_\_\_\_\_ (Specify) \_\_\_\_\_
- Crops to be Irrigated: N/A
- Give a description of proposed project. (Attach sheet if more space is needed)  
Project involves repairing existing dam whose principal spillway has rusted out.  
Repair includes plugging old pipe, then installing new plastic pipe through the  
dam as a principal spillway.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is involved. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)  
County of Ziebach )<sup>ss</sup>



I, Harold R. Wall, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Harold R. Wall

Subscribed and sworn to before me this 5 day of January 19 94

Janelle Sen 8-11-1995  
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

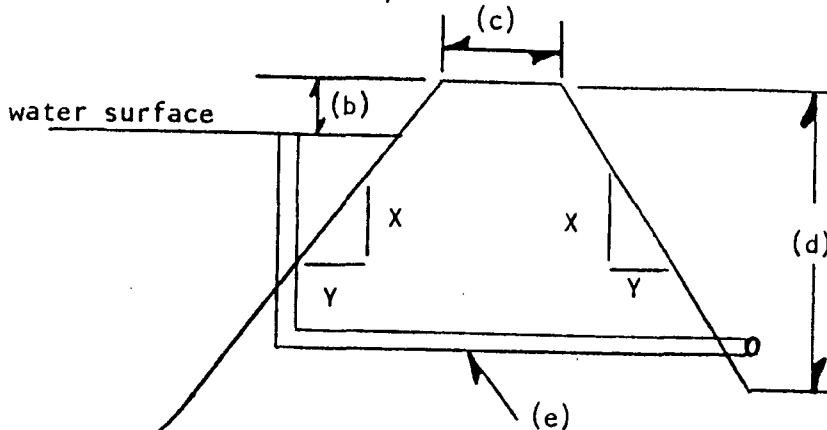
- a) Surface Dimensions \_\_\_\_\_ Depth \_\_\_\_\_
- b) Depth to water (ground surface to water level) \_\_\_\_\_

## 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

Thomas D. VerHelst  
Soil Conservation Service  
HCR 30 Box 34  
Belle Fourche, SD 57717



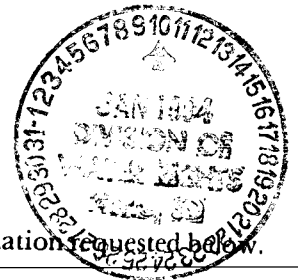
- b) Freeboard 4.0'
- c) Crest Width 12'  
 Crest Length 405'
- d) Height 19.5'
- e) Outlet Dimensions:  
 Pipe diameter 15"  
 Spillway width 70'
- f) X & Y Slope  
 Upstream 3:1 SS  
 Downstream 2:1 SS

Surface Area of Impoundment 10.0 Acres  
 @ principal spillway elevation

Storage 48.0 acre feet  
 @ P.S. elevation

Drainage area above dam 950 acres

\* Harold R. Wall  
 Signature of Applicant



# RECEIPT

414012

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, \_\_\_\_\_, January 27, 19 94

RECEIVED OF Harold Wall, Box 8, Dupree, SD 57625

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

|                                                                                                                              |       |        |
|------------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>1595-1</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. _____                          |       |        |
| Fee for Filing Transfer Form _____                                                                                           |       |        |
| Fee for Filing Extension Request _____                                                                                       |       |        |
| Fee for _____                                                                                                                |       |        |
| _____                                                                                                                        |       |        |
| _____                                                                                                                        |       |        |
| (Any Other Work Provided by Law)                                                                                             | Total | 150 00 |

By John Hatch  
Chief Engineer

United States  
Department of  
Agriculture

Soil  
Conservation  
Service

HCR 30 Box 34  
Belle Fourche, SD 57717

Date: 12/28/93

Department of Environment and Natural Resources  
Dam Safety Division  
Joe Foss Building  
Pierre, SD 57501

Dear Sirs,

Enclosed are plans for a repair job on an existing dam located on the Harold Wall ranch in Ziebach County. The original construction date of the dam is unknown but probably occurred in the early 1950's. The major defect in the dam is a rusted corrugated metal pipe principal spillway that is threatening the integrity of the dam. The plan is to plug the old principal spillway and install a new 15" diameter polyethylene pipe through the dam.

According to DENR dam classification this dam is a small Category 3 dam. The dam holds 48 acre-feet of water at the principal spillway elevation of 94.0, 114.7 acre-feet at the emergency spillway elevation of 97.5, and 260.0 acre-feet at the top of dam elevation of 101.5. I have routed 2-yr, 25-yr, and 50-yr rainfall events through the structure using SCS-DAMS2 flood routing program. A printout of the results of that program are enclosed. The main item of concern to meet your dam safety program is that the 50-yr storm creates a highwater mark of 98.77 as it is passed through the emergency spillway. This is well below the top elevation of the dam at 101.5.

The landowner will be applying for a water permit for this dam, since it exceeds 25 acre-feet of storage at the emergency spillway elevation. If there are any other unanswered concerns about this dam please contact me.

*Thomas D. Ver Helst*

Thomas D. Ver Helst  
Ag Engineer, Belle Fourche

cc: Harold Wall  
Mike Moorman, SCS, Faith

Enclosures





Harold R. Wall  
Ziebach Co.  
Water Permit Applic. #1595-1

Top of Dam Elev. - 101.5  
P. Spillway - 94.0 - 15" PE Pipe w/ Hooded Inlet  
2nd. Spillway - 97.5 - 70' wide Earthcut  
Dam Ht. - 19.5 ft  
Bottom Dam - 82

Normal Storage Capacity - 48 Ac.-Ft.  
Int. " " - 114.7 Ac.-Ft.  
Max. " " - 260. Ac.-Ft.

Int. Capacity (114.7) x Eff. Ht. (15.5) =  
1780 < 3000  $\therefore$  25 year Min Design

From Tech. for Estimating Flood Peaks, Vol. 6  
Hydrographs in South Dakota (USGS)

$$Q_{25} = 83.4 A^{.60} S^{.44} S_i^{-.72}$$

$$= 83.4 (1.48)^{.60} (130)^{.44} (1.76)^{-.72}$$

$$= 83.4 (1.27) (8.51) (0.67)$$

$$Q_{25} = 600 \text{ cfs}$$

$$DA = 950 \text{ Ac} = 1.48 \text{ mi}^2$$

$$S = 130' / \text{mile}$$

$$S_i = 1.76$$

2nd Spillway Flow

$$Q = CLH^{1.48} \quad L = 70$$

$$= 2.8 (70)^{1.48} \quad H = 4'$$

$$Q = 1560 \text{ cfs}$$

The SCS uses their DAMS 2 Model to route the 2, 25 & 50 year events thru the Harold Wall Dam. The 2 year event is used to size the Primary Spillway. The 25 year event is used to size the Emergency Spillway. The 50 year event is used to determine the required freeboard on the emergency spillway. These DAMS model indicates they need 2 ft. freeboard and Harold Wall Dam has 4 ft.

Section 74:02:08:09

SCS Annual Yield

1. Topo Map - OK
2. Dam Axis Profile - OK
3. Dam X-Section - OK
4. Area-Capacity Curve - OK
5. Outlet Plans - OK
6. Spillway Rating - DAMS - OK
7. Spillway Detail - OK
8. Specs - Standard SCS - OK
9. EPP - Cont. 3 N/A - OK

$$CN = 80$$

$$\text{Program} - 2$$

$$DA = 950$$

$$50\% \text{ chance} = 0.64 \text{ Ac-In} / \text{Ac}$$

$$0.64 \times 950 \div 12 = 50 \text{ Ac.-Ft.}$$



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

January 11, 1994

Harold R. Wall  
Box 8  
Dupree SD 57623

Dear Mr. Wall:

We received your water permit application on January 10, 1994. The filing fee for this application will be \$150.00.

Upon receipt of the fee, further processing of your application will continue. If you have any questions, please contact this office.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Natural Resources Analyst  
605 773-3352



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

March 9, 1994

Thomas D. Ver Helst  
Soil Conservation Service  
HCR 30, Box 34  
Belle Fourche, SD 57717

Dear Mr. Ver Helst:

We have reviewed the plans and specifications for the Harold Wall Dam located in the SE 1/4 SW 1/4 of Section 10 and the NE 1/4 NW 1/4 of Section 15, all in T10N-R21E in Ziebach County. The plans and specifications as submitted are approved. Approval of the plans and specifications does not authorize construction of the project. No construction may begin until Water Permit Application No. 1595-1 is approved.

Our review was to determine compliance with the requirements of the Water Management Board Safety of Dams Rules, Chapter 74:02:08. Approval of these plans and specifications does not release the Mr. Wall as owner of the dam, from the responsibility for operating and maintaining the dam in good repair to assure the safety of the dam.

The Wall Dam will be classified as a small size Category 3 dam with a dam height of 19.5 feet and a normal storage capacity of 48 acre-feet and a maximum storage capacity of 260 acre-feet.

If you have any questions, please feel free to contact us.

Sincerely,

Gale N. Selken, P.E.  
Natural Resources Engineer IV  
for John Hatch, Chief Engineer  
Water Rights Division  
605 773-3352

cc: Harold Wall

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 1595-1, Harold R. Wall

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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. 1595-1, Harold R. Wall, Box 8, Dupree, SD 57623.

The Chief Engineer is recommending APPROVAL of Application No. 1595-1 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:

Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.

See report on application for additional information.



JOHN HATCH, Chief Engineer  
March 4, 1994

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REPORT ON  
WATER PERMIT APPLICATION No. 1595-1  
Harold R. Wall  
February 28, 1994

Water Permit Application No. 1595-1 has been filed by Harold R. Wall to impound 48 acre-feet of water in an existing dam. The dam is located in the SE 1/4 SW 1/4 of Section 10 and the NE 1/4 NW 1/4 of Section 15; all in T10N-R21E. The dam was probably constructed in the early 1950's. It has a rusted out corrugated metal pipe (CMP) drop inlet spillway and is in need of repair. The water will be used for livestock watering.

Discussion:

The Wall Dam is classified as a Category 3, Low Hazard dam on the South Dakota Inventory of Dams (ID No. SD00766). The repair has been designed by the Soil Conservation Service (SCS) and the plans and specifications have been approved; although, construction can not start until Water Permit Application No. 1595-1 is approved.

The Wall Dam will be 19.5 feet high with a normal storage capacity of 48 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 260 acre-feet with the reservoir level at the top of dam elevation. A dam of this size and hazard classification is required to have a minimum spillway design capable of passing a 25 year frequency event.

The Wall Dam is designed to have a 15 inch polyethylene pipe as the primary spillway and a 70 foot wide earthcut secondary spillway. The dam has a drainage area of 1.48 square miles which produces a peak runoff from a 25 year event of approximately 600 cfs. The capacity of the 70 foot wide secondary spillway is approximately 1560 cfs.

The Soil Conservation Service used their DAMS2 model to route the runoff from a 2, 25, and 50 year event through the dam. The model indicates that the dam needs 2 feet of freeboard to pass the 50 year event. The Wall Dam will have 4 feet of freeboard between the secondary spillway and the top of dam elevation.

The annual yield for this drainage with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be approximately 50 acre-feet.

The Wall Dam is located on a tributary of Cottonwood Creek about 15 miles upstream of the confluence of Cottonwood Creek and the Cheyenne River. There are no existing Water Permits/Rights on this portion of Cottonwood Creek.

Conclusions:

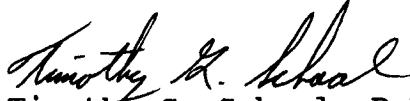
1. Water Permit Application No. 1595-1 should be approved since unappropriated water is available and approval will not have any adverse effects on existing Water Permits/Rights.

page 2

Application No. 1595-1

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2. If approved, the low flow bypass requirement for downstream domestic use should be a qualification on Water Permit  
Application No. 1595-1



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

Approved by:



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

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**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.**

March 8, 1994

Harold R. Wall  
Box 8  
Dupree, SD 57623

Dear Mr. Wall:

Water Permit Application No. 1595-1 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 West River Progress printed at Gettysburg, SD (Ph # 365-5145). 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*  
Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures

**NOTE:** If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

March 8, 1994

West River Progress  
Box 190  
Gettysburg, SD 57442-0190

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1595-1 to be published twice. Please publish the first notice on March 17, 1994, 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 Harold R. Wall, Box 8, Dupree, SD 57623 (Ph # 538-4426).

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

FIRST TRANSMITTAL NOTICE

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

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 March 17, 1994, with the second publication 7 days later. The applicant is responsible for payment.

---

NOTICE OF APPLICATION NO. 1595-1 to Appropriate Water

Notice is given that Harold R. Wall, Box 8, Dupree, SD 57623 has filed an application for a water permit to impound 48 acre-feet of runoff water in an existing dam located on the quarter-quarter line between the SE 1/4 SW 1/4 Section 10 and the NE 1/4 NW 1/4 Section 15; all in T10N-R21E. Water is impounded in the SE 1/4 SW 1/4 Section 10 and the NE 1/4 NW 1/4 Section 15; all in T10N-R21E. Water will be used for livestock watering.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1595-1 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights 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 April 4, 1994.

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 Division address to request copies of information pertaining to this application. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

Water Rights Division - DENR  
Conversation File Documentation

NAME OF PERSON OR FILE: Harold Wall, Water Permit No. 1595-1

ADDRESS: Box 8, Dupree      COUNTY: Ziebach

DATE: 5/25/94      TELEPHONE:

RE: Affidavit of Publication

COMMENTS:

The notice of hearing for Application No. 1595-1 was published with one of the legal descriptions described as SE1/4 SW14/ Section 10. The '4' and the '/' were transposed in the publication. It was determined by conferring with staff that this did not invalidate the publication by not provided adequate notice. The permit will not require readvertisement.

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:

Eric Henderson

**PROOF OF PUBLICATION**

**NOTICE OF APPLICATION  
NO. 1595-1 TO  
APPROPRIATE WATER**

Notice is given that Harold R. Wall, Box 8, Dupree, SD 57623 has filed an application for a water permit to impound 48 acre-feet of runoff water in an existing dam located on the quarter-quarter line between the SE1/4 SW1/4 Section 10 and the NE1/4 NW1/4 Section 15; all in T10N-R21E. Water is impounded in the SE1/4 SW1/4 Section 10 and the NE1/4 NW1/4 Section 15; all in T10N-R21E. Water will be used for livestock watering. Pursuant to SDCL 46-2A-2, the

STATE OF SOUTH

County of zick

I, Jack

certify that the attas

taken from the Progress

printed and published in Dupree

County of zick and State of

South Dakota. The notice was published in the newspaper on the following two dates:

March 17, 1994

March 24, 1994

Cost of Printing: 38.68

Jack L. Stone  
(Signature)

Publisher  
(Title)

March 28, 1994  
(Date Signed)

Chief Engineer recommends APPROVAL of Application No. 1595-1 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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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 April 4, 1994.

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Russell L. Stone,  
Acting Secretary  
Department of Environment and  
Natural Resources

(Published in the West River Progress, March 17 and 24, 1994.)





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

MAY 26 1994

Harold R. Wall  
Box 8  
Dupree, SD 57623

Dear Mr. Wall:

Enclosed is Water Permit No. 1595-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

# RECEIPT

## Water Rights Program

South Dakota Department of Environment and Natural Resources

415618

Pierre, January 23, 19 98

RECEIVED OF Harold R. Wall, Box 8, Dupree, SD 57623  
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. 1595-1

Fee for Filing Transfer Form \_\_\_\_\_

Fee for Filing Extension Request \_\_\_\_\_

Fee for \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Any Other Work Provided by Law)

Total

50 00

By \_\_\_\_\_  
Chief Engineer

John Hatcher (Signature)

**Permit No. 1595-1**  
**Lower Cheyenne 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, **November 3, 1997**, made a thorough examination of the water use system constructed by **Harold Wall** of **PO Box 8, Dupree, SD 57636** holder of Permit No. **1595-1**, bearing the priority of **January 10, 1994** authorizing the storage of **48** acre-feet of the waters of **runoff** for **domestic use** purposes, in **Ziebach** County.

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

A. Works used to divert the water:

**19.5 foot high earthen dam with a normal storage capacity of 48 acre-feet and a maximum storage capacity of 260 acre-feet**

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

**N/A**

C. Works used to apply water to beneficial use:

**Earthen dam**

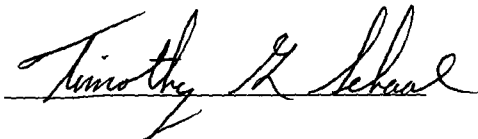
The system is in the following condition **good**. The point of diversion is located **2080 feet east of the SW corner of Sec. 10-T10N-R21E (SE ¼ SW ¼ Sec. 10 & NE ¼ NW ¼ Sec. 15)**. The works are capable of storing **48** acre-feet of water which is to be used for **domestic use**. Water has been put to beneficial use to the maximum extent as follows:

**19.5 foot high earthen dam with a normal storage capacity of 48 acre-feet and a maximum storage capacity of 260 acre-feet**

and the license should be issued for **48** acre-feet of storage.

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

Exceptions to compliance are: **none** Date Report Completed: **January 9, 1998**



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

## REPORT ON INSPECTION OF PERMIT NO. 1595-1

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Other permit(s) associated with the project: XXXX

DATE OF INSPECTION: November 3, 1997

NAME & ADDRESS OF INSPECTION CONTACT/ Harold Wall

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Harold Wall, PO Box 8, Dupree, SD 57623

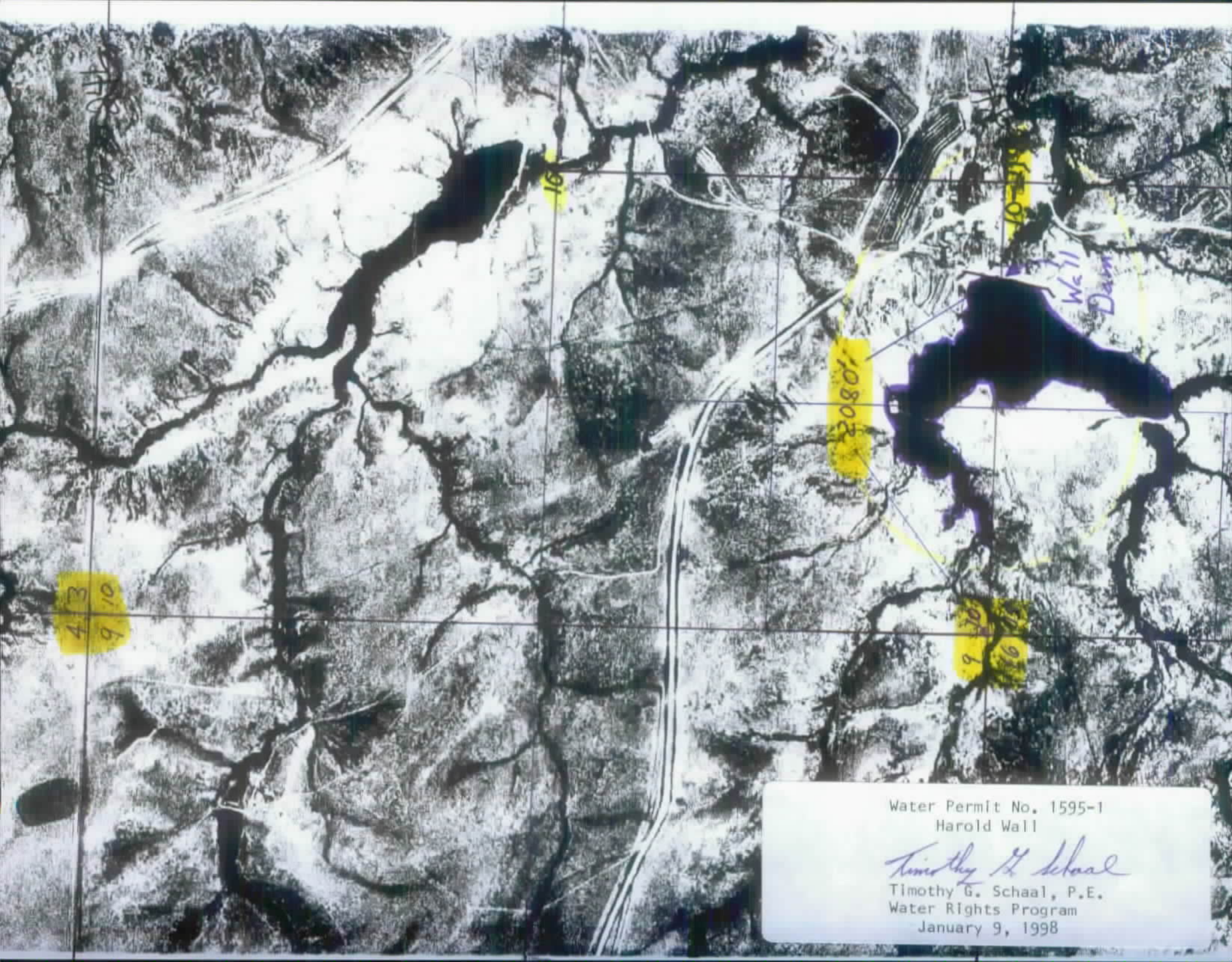
DIVERSION POINT LEGAL LOCATION: 2080 feet east of the SW corner Section 10-T10N-R21E  
(SE ¼ SW ¼ Sec. 10 & NE ¼ NW ¼ Sec. 15).

### DAM INFORMATION:

- 1) Height to crest 19.5 feet
- 2) Height to primary spillway 15.5 feet
- 3) Height to secondary spillway 17 feet
- 4) Crest width 12 feet
- 5) Crest length 405 feet
- 6) Spillway length XXX feet
- 7) Spillway width 70 feet
- 8) Approx. storage (Normal) 48 acre-feet
- 9) Approx. storage (Maximum) 260 acre-feet
- 10) Date constructed: Fall 1994

### 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



Water Permit No. 1595-1  
Harold Wall

*Timothy G. Schaal*  
Timothy G. Schaal, P.E.  
Water Rights Program  
January 9, 1998

# STATE OF SOUTH DAKOTA

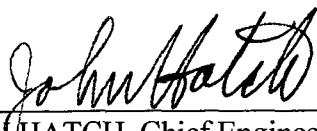
## WATER LICENSE NO. 1595-1

(1) Harold Wall, PO Box 8, Dupree SD 57623 made Application No. 1595-1, January 10, 1994 for a water permit to store 48 acre-feet of water from runoff in an existing dam, Ziebach County, South Dakota for livestock watering purposes. Permit No. 1595-1, with a priority date of January 10, 1994 was approved April 4, 1994 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(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 48 acre-feet of water for beneficial use. The location of the diversion point (spillway) is 2,080 feet east of the southwest corner of Section 10-T10N-R21E (SE 1/4 SW 1/4 Section 10 and NE 1/4 NW 1/4 Section 15).

(3) The applicant 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 Harold Wall, PO Box 8, Dupree SD 57623 the holder and/or owner of Water Permit No. 1595-1 is issued a license to appropriate water, the right to store 48 acre-feet of water from runoff with a priority date of January 10, 1994 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 Permit No. 1595-1 and subject to South Dakota State Law.

  
\_\_\_\_\_  
JOHN HATCH, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

FEB 27 1998

\_\_\_\_\_  
date





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

FEB 27 1998

1595-1

Harold Wall  
P.O. Box 8  
Dupree, SD 57623

Dear Mr. Wall:

Enclosed is Water License No. 1595-1. Water License No. 1595-1 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.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Program  
(605) 773-3352

ks  
enclosures