

WATER PERMIT NO. 1662-1

Name of Applicant: Larry Nelson

Address: HC 66B Box 151, Buffalo SD 57720

Phone: 605 375-3719

Amount of Water Claimed: 276 acre-feet

Total Acres: NA

Source of Water Supply: runoff

Water to be used for: livestock, recreation, fish & wildlife production

County: Harding

Type of Waste Disposal System: NA

Location: 25 miles southwest of Buffalo

PRIORITY Date Received: 1-20-1998

Fee: \$225.00

Corrected Application Received: 2-3-1998

Period of Annual Use: January 1 - December 31

Remarks: Location Notice 17244 was filed November 25, 1956. This dam was originally constructed for 67 acre-feet of storage. This application is for the remaining 209 acre-feet of storage

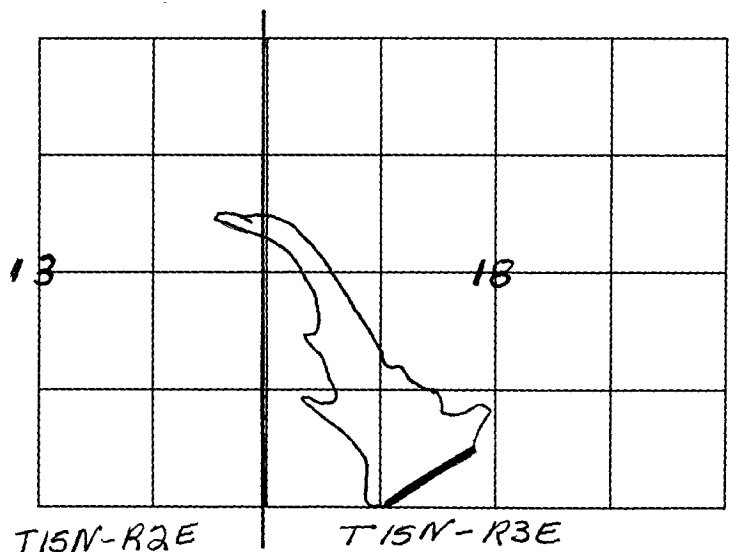
Diversion Point: SE 1/4 SW 1/4

Section 18-T15N-R3E

Water Impounded: SW 1/4, SW 1/4 NW 1/4

Sec 18-T15N-R3E and SE 1/4 NE 1/4 Sec

13-T15N-R2E



Depth of Well: NA

Well Driller:

Remarks:

Type of Map: plat

Prepared by: Thomas D VerHelst, SCS

Reviewed and the Number Assigned on: 2-3-1998

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 1662-1

Date of first receipt of application January 20, 1998.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1662-1 to Larry Nelson, HC 66B Box 151, Buffalo SD 57720 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. 1662-1 authorizes impoundment of 276 acre-feet of water annually. A dam was constructed in the SE 1/4 SW 1/4 Section 18-T15N-R3E with water impounded in the SW 1/4, SW 1/4 NW 1/4 Section 18-T15N-R3E and the SE 1/4 NE 1/4 Section 13-T15N-R2E. This permit authorizes impoundment of water sufficient to maintain water to the outlet elevation. Dry Draw Location Notice No. 17244 was filed November 25, 1959 for 67 acre-feet. The permit includes the additional 209 acre-feet of water for a total storage capacity of 276 acre-feet. The applicable portions of Dry Draw Location Notice No. 17244 are incorporated into this permit.
2. The water appropriated shall be used for the purpose of supplying water for livestock, recreational use and fish & wildlife propagation and may not exceed the amount of water needed for beneficial use for these 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. 1662-1 is March 23, 1998.
5. The dates from which applicant may claim right are November 25, 1959 (67 acre-feet) and January 20, 1998 (209 acre-feet).
6. One-fifth of the construction is to be completed on or before September 23, 2000.
7. All construction is to be completed on or before September 23, 2003.
8. Water is to be put to beneficial use on or before September 23, 2007.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

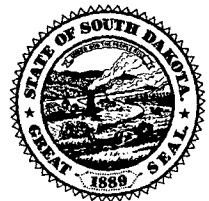
1. Water Permit No. 1662-1 authorizes a dam with storage capacity of 276 acre-feet of water and sufficient water annually to maintain the water level to the outlet elevation.
2. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.

WATER MANAGEMENT BOARD

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

APR 23 1998

date



FORM 2: Application for uses other than irrigation
(type or print)



Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 1662-1 Hydrologic Unit 10130304
Basin Moreau River
Newspaper Nation's Center News, Buffalo, SD
(office use only)

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

Check use of water:

☐ Municipal ☐ Suburban Housing ☒ Recreational ☐ Institutional
☐ Rural Water System ☐ Commercial ☒ Fish & Wildlife ☐ Geothermal Heat
☐ Domestic ☐ Industrial ☒ Other Livestock
(over 18 gpm)

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)
Location Notice-Dry Draw 17244 was originally filed with a November 25, 1959, priority date for 67 AF. This application is for the remaining 209 AF of storage

1. Name of Applicant Larry Nelson Phone 375-3719
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address ~~Box 151~~ HC 66B Box 151 Buffalo State SD 57720
(Street, RR, or Box) (City) (Zip Code)
2. Amount of water claimed _____ *CFS or _____ **GPM 276 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Surface Runoff
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) SE¹/₄, SW¹/₄ SEC. 18
T15N-R3E Water Impounded: SW¹/₄, SW¹/₄ NW¹/₄ SEC. 18-T15N-R3E
SE¹/₄ NE¹/₄ SEC. 13-T15N-R2E County Harding
5. County or counties where water will be used Harding
6. Annual period during which water is to be used January 1 - December 31
7. Give a description of the 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)

Existing dam possessed back toe slippage after extreme winter of 1996-1997. Dam was repaired by establishing new top and 4:1 back slope in damaged area.

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

STATE OF SOUTH DAKOTA)

County of Harding)^{SS}

I, Larry J. Nelson, 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 Larry J. Nelson

Subscribed and sworn to before me this 15th day of January 19 98

Sue Stangel
Notary Public
Expires - Term of office

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 to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others _____



2. Wastewater Disposal System Information

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

3. Dugout Information

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

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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

NRCS
P.O. Box 265 Buffalo, SD 57720

b) Freeboard 4'

c) Crest Width 14'

Crest Length 1050'

d) Height 22.5'

e) Primary Outlet Capacity N/A

If pipe, diameter _____

f) Secondary Spillway Capacity 600 CFS

Spillway Width 100'

g) X & Y Slope

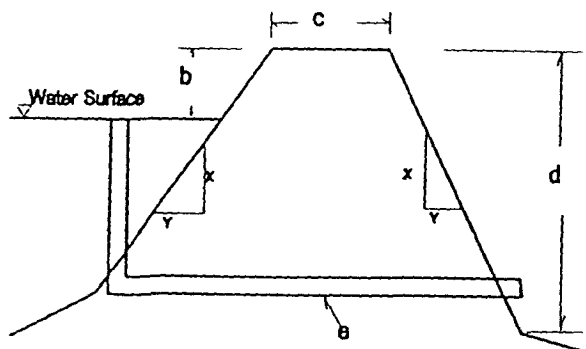
Upstream 4:1

Downstream 4:1

h) Surface Area of Impoundment 46 Ac.

i) Storage 276 Acre Feet

j) Drainage Area Above Dam 1380 Acres



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 415630

Pierre, February 3, 19 98

RECEIVED OF Larry J. Nelson, HC 66, Box 151, Buffalo, SD 57720

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

Fee for Application for Permit No. <u>1662-1</u> to Appropriate Water, to construct and to put water to beneficial use _____	225	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	225 00

By _____
Chief Engineer

John Hatch

NOT TO SCALE

15-3

291R

#1 Point of Diversion is Any Point
Along Reservoir in $S\frac{1}{2}$ SW $\frac{1}{4}$ Sec 18
T15N R3E

#2 Point of Diversion = 200' S and 380' E
of NW cor. Sec. 19. T15N R3E

A 33.6

9 AC

Wallace NE $\frac{1}{4}$ NW $\frac{1}{4}$
19 AC

5 AC

1 AC

SE $\frac{1}{4}$ NW $\frac{1}{4}$

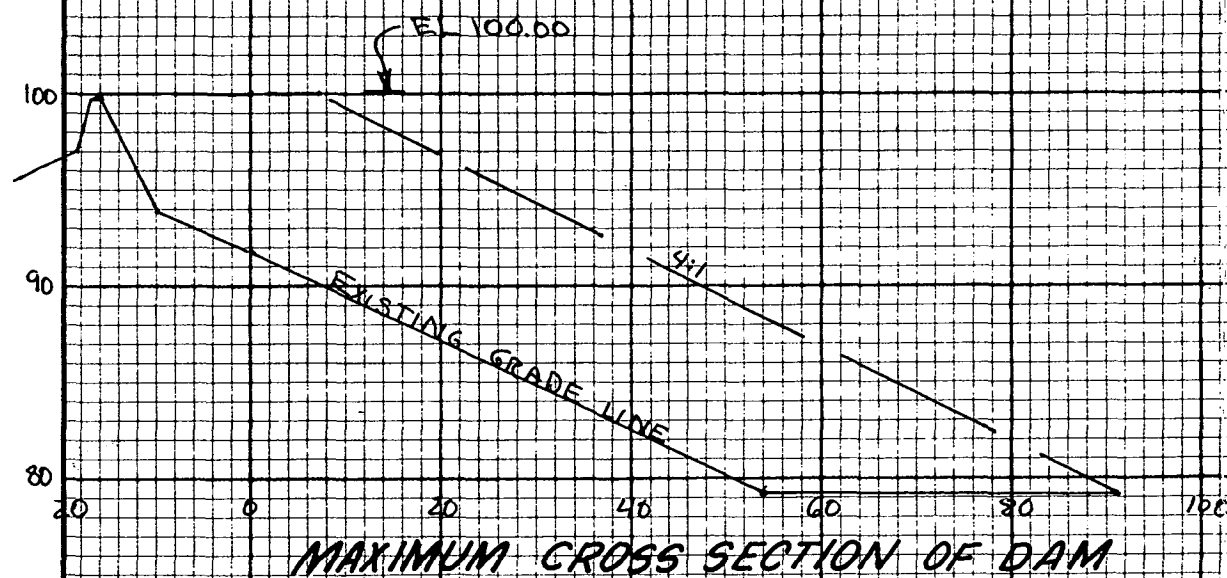
19

Larry Nelson.

Conservation
Commission
Copy

NO SURVEY PLOTTED

CROSS SECTION AT CREST OF EMERGENCY SPILLWAY AND PROFILE ALONG C OF DAM



NO SURVEY TAKEN

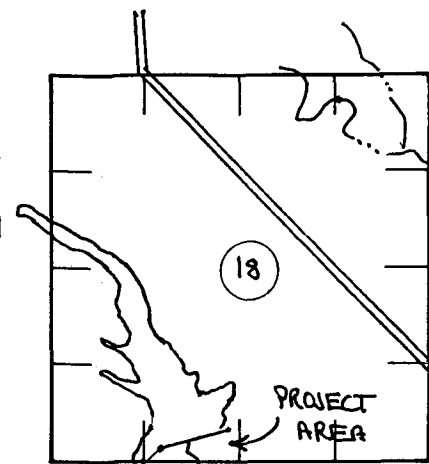
PROFILE ALONG C OF EMERGENCY SPILLWAY
SEDIMENT YIELD

ERODIBILITY AREA ACRES	GROSS RATE A.F./AC./YR.	DRAINAGE AREA ACRES	DELIVERY RATE %	DESIGN PERIOD YEARS	REQ'D. SEDIMENT VOLUME AC.FT.
1380	.001	1380	20	40	11.64

(Rev. 4-73) 5, N-29, 073.1a (2)



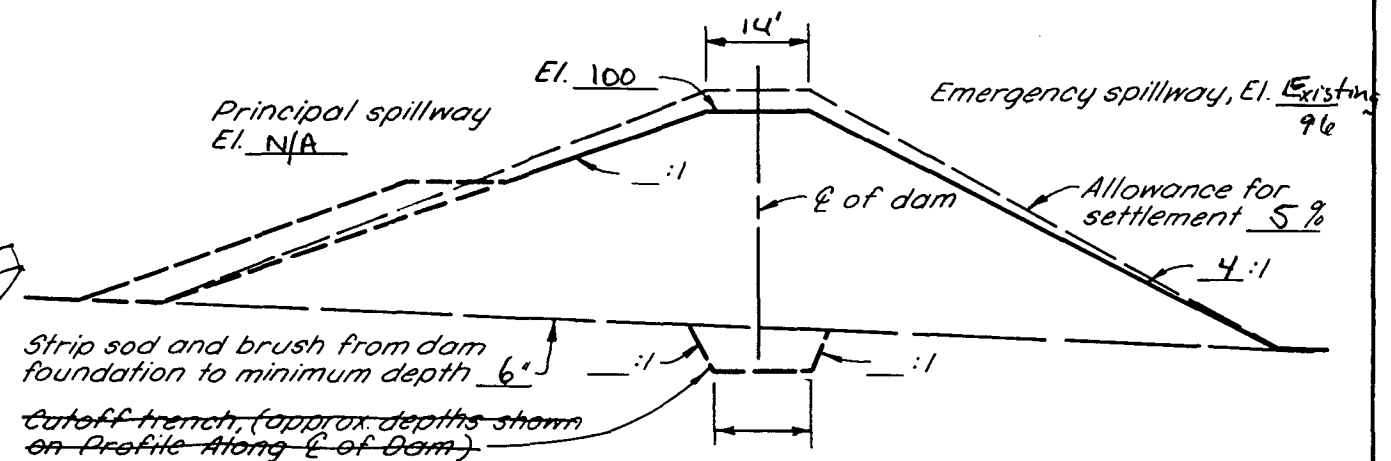
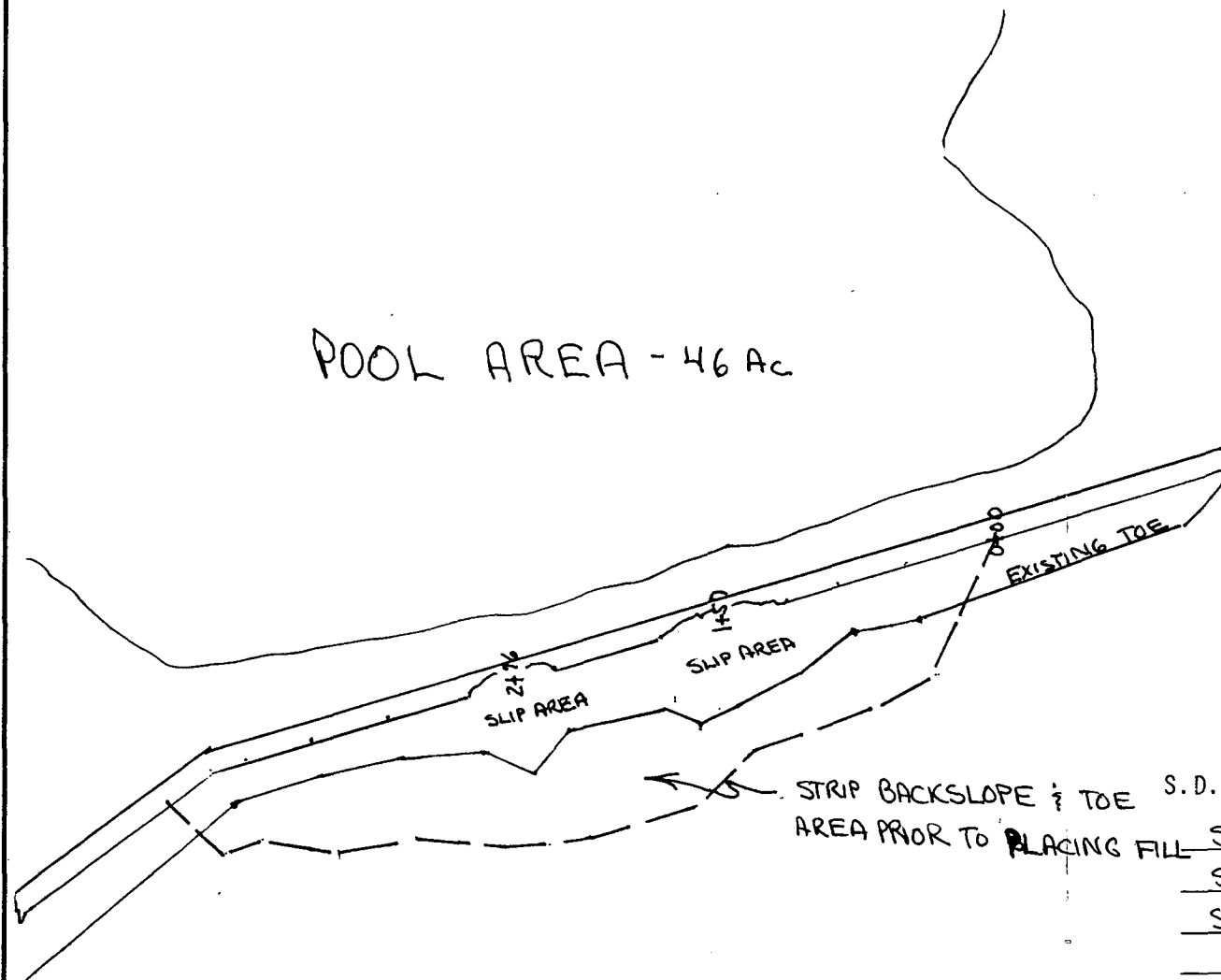
DRAINAGE AREA	ANNUAL YIELD	PEAK RUNOFF	EMERG. SPLWY. CAPACITY	WATER DEPTH	SURFACE AREA	SEDIMENT STORAGE	TOTAL STORAGE
ACRES	AC. FT.	25-YR.	C. F. S.	FEET	ACRES	AC. FT.	AC. FT.
1380	43.7	650	600	15	46	11.0	276



LOCATION

[illegible]

POOL AREA - 46 Ac



TYPICAL CROSS SECTION OF DAM

EARTH DAM

SKETCH PLAN OF DAM AND RESERVOIR AREA

Approximate scale $1'' = 100'$

REFERENCE: GUIDE PLAN NO. 1.0

S.D. CONSTRUCTION AND MATERIAL SPECIFICATIONS:

SD-4 STRIPPING

SD-7S EARTH FILL - CLASS S

SD-28 SEEDING

OPERATOR: LARRY NELSON

CONSERVATION DISTRICT: HARDING

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed T. Ver Helst Date 9/97 Approved by Norman J. Van D...
Title Ag. Engineer

Drawn T. Ver Helst 9/97

Traced	Title
	Sheet
Checked	Drawing No.
	No.

JOB PLAN NO. 1.0

Water Permit Application No. 1662-1

Larry Nelson

Top of Dam Elev. - 100
 Spillway Elev. - 96
 Dis Toe Elev. - 77.5
 Height = 22.5 ft

Cat. 3 - Low Hazard Dam
ID #1959

Normal Storage Capacity - 276 Ac-Ft
 Max. Storage Capacity - 350 Ac-Ft

In Sept 1997, the NRCS repaired a couple slide areas on the downstream slope w/out changing the Top of Dam elevation or the spillway elevation. Therefore

No P&S Review required - Maintenance

Height x Max Capacity = 22.5 x 350 = 7875 > 3000 ∴ 50 year flood
Min. Spillway Design

From USGS WRI 80-80 "Tech. for Est. Flood Peaks ... in South Dakota"

DA = 1380 Ac = 2.16 mi²
 SI = 2.50
 Slope = 80 ft/mile

$$Q_{50} = 106 A^{.63} S^{.45} S_i^{-.69}$$

$$= 106 (2.16)^{.63} (.80)^{.45} (2.50)^{-.69}$$

$$= 106 (1.62) (7.18) (0.53)$$

$$= \underline{655 \text{ cfs}}$$

$$Q_{100} = 132 A^{.65} S^{.46} S_i^{-.67}$$

$$= 132 (2.16)^{.65} (.80)^{.46} (2.50)^{-.67}$$

$$= 132 (1.65) (7.5) (0.54)$$

$$= \underline{884 \text{ cfs}}$$

Spillway Capacity

$$Q = CLH^{3/2} \quad H = 4$$

$$= (2.8)(100)(4)^{3/2} \quad L = 100$$

$$= \underline{2240 \text{ cfs}} \quad C = 2.8$$

SCS Annual Yield

DA = 1380
 CN = 74 (Assumed) maybe lower!
 Isoqram #1 use 82

10% = $\frac{0.80}{0.72} \times 1380/2 = 207$
 $\frac{0.80}{0.72} \times 1380/2 = 106 \text{ Ac-Ft}$

50% = $\frac{0.39}{0.25} \times 1380/2 = 45$
 $\frac{0.39}{0.25} \times 1380/2 = 17 \text{ Ac-Ft}$

80% = $\frac{0.15}{0.046} \times 1380/2 = 17$
 $\frac{0.15}{0.046} \times 1380/2 = 17 \text{ Ac-Ft}$



CONSTRUCTION SPECIFICATIONS

for

DAM REPAIR

LARRY NELSON

HARDING CO.

Prepared by:

USDA-NATURAL RESOURCES CONSERVATION SERVICE

Assisting:

HARDING CO. Conservation District



CONSTRUCTION SPECIFICATION

SD-28 SEEDING

28.1 SCOPE

The work shall consist of furnishing all labor, equipment, and materials for seeding a permanent grass mixture on the areas shown on the drawings.

28.2 GENERAL

The seeding and related operations shall be performed at such times as designated below.

Dates: As soon as construction is completed

28.3 FERTILIZER

The fertilizer, where required, shall be a regular commercial fertilizer (including liquid form) meeting the requirements of the applicable state laws, and shall be in such physical condition to insure uniform application over the area to be fertilized. Rates of application per acre shall be as specified below. Organic fertilizers may be used when specifically authorized.

Types and Rates: N/A

28.4 SEED

The required seed species, variety, or seed source, and the required rate of seeding are designated below. Documentation will be provided showing that the seed meets the current state seed laws for sale of seed. The seed must be planted within one year of the date of its latest germination test.

Western Wheatgrass - 10# PLS/Acre

Intermediate Wheatgrass - 12.5# PLS/Acre

28.5 PREPARATION OF SEEDBED

The entire area to be seeded shall be reasonably smooth and firm and all washes and gullies shall be filled to conform to the desired cross section before actual seedbed preparation is begun. At this stage of the operation, the fertilizer, if required, shall be applied uniformly and incorporated into the top 3 inches of the soil with suitable tillage equipment. The Contractor shall suspend operations when the soil is too wet or too dry.



Box 3
Redig, South Dakota 57776
August 25, 1982

Leroy J. Mernaugh, Water Resources Engineer
Department of Water & Natural Resources
Joe Foss Building
Pierre, SD 57501

Dear Leroy:

I have enclosed copies of the Location Notices we discussed during your visit to the ranch. These are the two that would apply to Sections 18 & 19 in Township 15, Range 3. I certainly appreciate your taking time to look into this matter for me. Let me know if there is any other information you need.

Thank you.

Sincerely yours,


Larry J. Nelson

Enc.

Harding
County
1951
Program Year

LOCATION NOTICE

Small Dam
Next to Irr. Dam

2301-1
Dry Draw Number
47-032 2c-60
ACP Farm Serial No.

Filed in W.R. Office May 24, 1951

KNO. ALL MEN BY THESE PRESENTS:

That Reuben H. Kehrberg Whose post office is Harding, S. D.

 , South Dakota, a citizen of the United States, above the age of 21 years, being in possession of the land covered by the above ACP farm serial number, of which the land upon which the works described below are to be constructed is a part, in Harding County, South Dakota, availing himself of the right granted him under the provisions of Section 61.0133 South Dakota Code of 1939, has located and claims the right to construct a certain dam across a dry draw situated in the NW of the NW of Section 19 township 15 range 3, and has located and claims the right to construct ditches and flumes for the purpose of directing flood waters from said dam for irrigation of the land first above described and for Livestock purposes, and claims the right of way across any land for the purpose of conveying water for said purposes.

Said locator claims for the above purpose 11.5 acre feet of water annually.

The location of the point of diversion of the reservoir is as follows:
From the NW Corner 24 Pds West 10 Pds South

The ditch will run in a direction to and on said land for a distance of feet.

Said location was made on the 18 day of May 1951
Witness my hand and seal this 18 day of May 1951

Reuben H. Kehrberg
Locator

Herewith is enclosed one dollar for filing in the State Engineer's Office as required under Section 55.1806 of the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA,)
County of Harding) ss.

On the 18 day of May 1951, before me Ralph Anderson, a Notary Public in for the County and State aforesaid, personally appeared Reuben H. Kehrberg to me personally known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the purposes therein set forth.

Witness my hand and official seal the day and date above written.

My Commission Expires

April 6, 1956

Ralph Anderson
Notary Public

Irrigation Legal Description
Dam on River Pastures OK

LOCATION NOTICE—DRY DRAW

Harding

County

17244

Dry Draw No.

Filed in W.R. Office Dec 9, 1959

I, Reuben H. Kehrberg ^{Kehrberg}
Name, of

Harding, So. Dak.

Address

Town

County

owner, of the following described land, do hereby notify the Water Resources
owner or operator

Commission of the State of South Dakota and all others concerned that I am exercising my
right under Section 61.0138 of Chapter 430 of the Session Laws of 1955 for construction of a
Dry Draw dam for the purpose of storing flood waters for
(storing, diverting, or both)
livestock purposes.
(livestock, irrigation or both)

The following data is presented in compliance with Section 61.0138:

(1) Dates of

(a) This application Nov. 25, 1959

(b) Posting at construction site

(2) Legal description of the land upon which the dam is located. SE 1/4 of the SW 1/4 of

Section 18, Township 15, Range 3. The dam is located 112 rods

E and 29 rods N of the SW corner of said Section
(N.S.E.W.) (N.S.E.W.) (NW, NE, SE, SW)

in the County of Harding

The owner of the land is Same
Name Address

(3) Amount of water claimed for all purposes each year 66.5 acre feet.

(4) Storage capacity of reservoir 62.0 acre feet.

(5) Surface area of reservoir 10.5 acres.

(6) Size of watershed above dam 1210 acrts.

(Over)

Enclosed herewith is one dollar (\$1.00). The Water Resources Commission is requested to file this Location Notice in their official records.

A copy of this Location Notice has been filed (do not record) with the Register of Deeds of _____ Harding _____ County and has been posted at the structure site in accordance with Section 61.0138 of the Water Laws.

Reuben H. Kehrberg
Owner

by _____ Locator

for the purpose of _____
(storing, diverting or both)
_____ purposes
(other than for)

is in compliance with Section 61.0138.

STATE OF SOUTH DAKOTA } ss.
County of Harding }

On this 25 day of Nov, 1959,
Ralph Anderson, a Notary Public
(Notary Public or other Official having a seal)

in and for the County and State aforesaid, personally appeared Reuben Kehrberg
to me personally known to be the person who executed the foregoing instrument and acknowl-
edged that he executed the same for the purposes therein set forth.

Witness my hand and official seal the day and date above written.

Ralph Anderson
Name

(SEAL)

Notary Public
Title

30715
Reuben H.
State of South Dakota
County of Harding
ss.
I hereby certify that the within instrument
was filed for record in this office on the
7 day of Dec A. D. 1959
at 2:00 clock P. M. and was recorded in
book _____ of _____ on page _____
before me
Duty
Register of Deeds

WATER RIGHTS DIVISION

(605) 773-3352

December 21, 1982

Larry Nelson
Box #3
Redig, South Dakota 57776

Dear Mr. Nelson:

On August 16, 1982 I made an inspection of your irrigation project in the SW $\frac{1}{4}$, Section 18 and NW $\frac{1}{4}$, Section 19 T15N, R3E. I also received the Location Notices from you for the dam located in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18. This Location Notice was filed in our office on December 9, 1959 under Dry Draw number 17244. The notice for the dam in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19 was filed May 24, 1951 under Dry Draw number 2301-1. The notice for storage dam in Section 18, which is your main source of water, was filed in 1959. Therefore, it does not qualify for a Vested Right. To qualify for a Vested Right the system must have been in operation on or before the year 1955. Location Notices could be used for irrigation prior to 1957. I can find no permit in this office that will cover your irrigation system.

In order to comply with the South Dakota Water Laws it will be necessary to submit an application for your irrigation project. Enclosed are two copies of completed Form 2, "Application for Permit" and two copies of Form WNR-802A0 for the storage dam. You should check over the forms and also the enclosed Water Right map and make any corrections necessary. Then sign both copies of Form 2 and have them notarized and return all forms to this office with a check for \$150.00 to cover the cost of the filing fees. If you do make corrections on the map return it also with the forms so that we may correct the office copy.

Water Quality approval for the land irrigated will be required. An instruction sheet is enclosed. See No. 5.

If you have any questions regarding the matter please feel free to contact this office.

Sincerely,

LeRoy J. Mernaugh
Water Resources Engineer

LJM:ms
Enc.

WATER RIGHTS DIVISION
(605) 773-3352

November 7, 1985

Larry Nelson
Box #3
Redig, South Dakota 57776

Dear Mr. Nelson:

I am contacting you regarding your irrigation project in the SW $\frac{1}{4}$ Section 18 and the NW $\frac{1}{4}$ Section 19, T15N, R3E. Mr. LeRoy Mernaugh, Staff Engineer with the Division of Water Rights, made an inspection of your irrigation project in August, 1982; and in December 1982. application forms were forwarded to you for applying for a water permit. To date, we have not heard from you on this matter.

Enclosed is a partially completed set of application forms for applying for a water permit. The forms were filled out with data recorded during the inspection. You should check over the forms and make any necessary corrections before having them signed and notarized. Upon completion of the forms, return them to this office with a required filing fee of \$150.00. A map will not be required as Mr. Mernaugh drew one up following the inspection.

Soil/Water Compatibility approval will be required from the State Conservation Commission. Enclosed is a partially completed form and instruction sheet. You may make changes as needed.

Please be reminded that South Dakota Water Law requires that a permit be obtained for irrigation purposes. Irrigation of lands without the proper permits is in violation of those laws.

If you have any questions or need assistance in completing the forms, you may contact our office for assistance.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 11, 1991

Larry Nelson
Box 3
Redig SD 57776

Dear Mr. Nelson:

On December 21, 1982, you were sent applications forms for a permit to appropriate water based on an inspection by LeRoy Mernaugh, an engineer with this office. This application is necessary to obtain a permit which will reflect your water use. To date, we have not received a response from you regarding this application.

Enclosed is another set of partially completed application forms and instruction sheet. Please review the application and make any corrections which may be necessary. The application must be signed and notarized, an application filing fee of \$150.00 submitted, and the enclosed map must be signed by one of the following: Registered Land Surveyor, Registered Engineer or by any other other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).

Obtaining a water permit ultimately benefits you by protecting your right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right. Currently, a water permit for your project has not been found on file with the Division of Water Rights. If you believe you already have the required water permit, no longer use water or have no plans to develop your proposed project, please inform us.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

Please respond by completing the application forms or contacting me by April 1, 1991.

Sincerely,


Eric Gronlund
Water Rights Division
Phone: (605) 773-3352

enclosures



DEPARTMENT OF WATER & NATURAL RESOURCES

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

March 13, 1991

Larry Nelson
Box 3
Redig SD 57776

Dear Mr. Nelson:

This letter is in response to our phone conversation on March 11, 1991, regarding irrigation from an existing dam located in the SE1/4 SW1/4 section 18-T15N-R3E. You indicated that the dam is not used for irrigation and the dam is identified on a location notice. Enclosed is a copy of the location notice.

According to Leroy Mernaugh's inspection report the dam impounds approximately 174 acre-feet of water (29 surface acres X 15 feet deep X 0.4 correction factor = 174 acre-feet). The enclosed location notice lists the storage capacity of the dam to be 67 acre-feet. Therefore, 107 acre-feet ($174 - 67 = 107$) of water is not covered by the existing location notice.

Your dam is listed on the safety of dams inventory as being built in 1956. If the dam was constructed in 1956, then the dam impoundment qualifies for vested right status pursuant to South Dakota Codified Law 46-4-5(1). Enclosed are 3 partially-completed location notices for a vested right to cover storage of 174 acre-feet of water. One copy is to be filed with the Register of Deeds, one copy is to be filed with the Water Right Division (\$10.00 fee), and one copy is for your records.

Please complete the location notices and sign the notices in the presence of a notary public. As discussed on the phone, if you do not intend to irrigate, the forms mailed to you on February 11, 1991, can be discarded.

Please contact me if you have any questions.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 1998

Larry J Nelson
HC 66 Box 151
Buffalo SD 57720

Dear Mr. Nelson:

Thank you for submitting your *Application for a Permit to Appropriate Water*.

A review of our files found a Location Notice - Dry Draw was filed with this office on December 9, 1959. The location notice is for a dam located in the SE 1/4 SW 1/4 Section 18-T15N-R3E with a storage capacity of 67 acre-feet (AF). It appears this is the same dam as on the application. Therefore, this application can be amended to 209 AF ($276 \text{ AF} - 67 \text{ AF} = 209 \text{ AF}$). A December 9, 1959 priority date will be retained for 67 AF and the remaining 209 AF will receive a new priority date. The application fee is based on the 209 AF amount. The application filing fee will be \$225.00.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

REPORT ON
WATER PERMIT APPLICATION NO. 1662-1

Larry Nelson
February 10, 1998

Water Permit Application No. 1662-1 has been filed by Larry Nelson to impound 276 acre-feet of water from runoff in a dam located in the SE ¼ SW ¼ of Section 18-T15N-R3E, in Harding County. The water will be used for recreation, fish and wildlife production and livestock watering.

Discussion:

The Nelson Dam was originally constructed in 1956, with Dry Draw Location Notice No. 17244 filed on November 25, 1959 for 67 acre-feet of water. At some time in the past, the normal storage capacity for the dam was increased to 276 acre-feet of water. Water Permit Application No. 1662-1 was filed to include the additional 209 acre-feet of water for a total storage of 276 acre-feet of water. The original 67 acre-feet will have a November 25, 1959 priority date.

The dam is listed on the Safety of Dams inventory (ID No. 1959) as a Category 3, Low Hazard dam. It has a current height of 22.5 feet and a normal storage capacity of 276 acre-feet with a reservoir level at the spillway elevation, and a maximum storage capacity of 350 acre-feet with a reservoir level at the top of dam elevation. A dam of this size and hazard category is required to have a minimum spillway design capable of passing a 50 year flood.

The dam has a drainage area of 2.16 square miles. A 50 year flood for this drainage area produces a peak runoff of 655 cfs and a 100 year flood produces a peak runoff of 884 cfs. The dam has a 100 foot wide earthcut spillway with four feet of available head and has a maximum spillway capacity of approximately 2240 cfs.

The annual yield for this drainage area with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be 45 acre-feet. The annual yield with a 80 percent chance of occurrence, or 8 out of 10 years, is expected to be 17 acre-feet. The annual yield with a 10 percent chance, or 1 out of 10 years, is expected to be 207 acre-feet.

The Nelson Dam is located in the SE ¼ SW ¼ of Section 18-T15N-R3E on an unnamed tributary to the South Fork Moreau River about one mile upstream of the confluence of the unnamed tributary and the South Fork Moreau River. There are no existing Water Permits/Rights located on the unnamed tributary. The nearest existing Water Permit/Right on the South Fork Moreau River would be Water Right No. 595-1, which is located about seven miles downstream of the existing dam. Water Right No 595-1 has a priority date of July 24, 1961 and appropriates 2.60 cfs to irrigate 184 acres. The South Fork Moreau River at this point has about 150 square miles of drainage area. Approval of Water Permit Application No. 1662-1 should not have any adverse impact on Water Right No. 595-1, since a portion of the storage capacity of the dam existed prior to the priority date for Water Right No. 595-1.

Page 2

Water Permit Application No. 1662-1

Conclusions:

1. Water Permit Application No. 1662-1 should be approved since unappropriated water is available and approval should not have any adverse effect on existing Water Permits/Rights.
2. If approved, the low flow bypass requirement for downstream domestic use should be a qualification on Water Permit Application No. 1662-1.



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. 1662-1, Larry J. Nelson**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 1662-1, Larry J. Nelson, HC 66B, Box 151, Buffalo, SD 57720.

The Chief Engineer is recommending APPROVAL of Application No. 1662-1 with applicable portions of Dry Draw Location Notice No. 17244 incorporated because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. Water Permit No. 1662-1 authorizes a dam with storage capacity of 276 acre feet of water and sufficient water annually to maintain the water level to the outlet elevation.
2. 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

February 20, 1998



**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.

February 24, 1998

Larry Nelson
HC 66B, Box 151
Buffalo, SD 57720

Dear Mr. Nelson:

Water Permit Application No. 1662-1 for livestock, recreation, and fish & wildlife production 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 Nation's Center News printed at Buffalo, SD (Ph # (605) 375-3228). 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 24, 1998

Nation's Center News
Box 107
Buffalo, SD 57720-0107

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1662-1 to be published twice. Please publish the first notice on March 4, 1998, 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 Larry Nelson, HC 66B, Box 151, Buffalo, SD 57720 (Ph # (605) 375-3719).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
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 4, 1998, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1662-1 to Appropriate Water

Notice is given that Larry J Nelson, HC 66B, Box 151, Buffalo, SD 57720 has filed an application for a water permit to impound 276 acre-feet of water from runoff. A dam was constructed in the SE 1/4 SW 1/4 Section 18-T15N-R3E with water impounded in the SW 1/4, SW 1/4 NW 1/4 Section 18-T15N-R3E and the SE 1/4 NE 1/4 Section 13-T15N-R2E. This application requests impoundment of water sufficient to maintain water to the outlet elevation. Dry Draw Location Notice No. 17244 was filed November 25, 1959, for 67 acre-feet. The application is to include the additional 209 acre-feet of water for a total storage capacity of 276 acre-feet. The applicable portions of Dry Draw Location Notice No. 17244 are incorporated into this application. The water will be used for livestock watering, recreational use and fish and wildlife propagation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1662-1 with applicable portions of Dry Draw Location Notice No. 17244 incorporated 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 Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 23, 1998.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Harding) SS



I, LaVerne E. Helms

certify that the attached printed Notice was taken

from the Nation's Center News

printed and published in Harding (Buffalo)

County of Harding and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

March 4, 1998

March 11, 1998

Cost of Printing \$40.77

LaVerne E. Helms
(Signature)

Bus. Mgr.
(Title)

3-5-98
(Date Signed)

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 March 23, 1998.

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 Granlund at the above Water Rights Program address to request copies of information pertaining to this application. Please Mailers, Secretary, Department of Environment and Natural Resources.

NOTICE OF APPLICATION NO. 1662-1 TO APPROPRIATE WATER

Notice is given that Larry J. Nelson, HC 66B, Box 151, Buffalo, SD 57720 has filed an application for a water permit to impound 276 acre-feet of water from runoff. A dam was constructed in the SE1/4 SW1/4, Section 18-T15N-R3E with water impounded in the SW1/4, SW1/4 NW1/4, Section 18-T15N-R3E and the SE1/4 NE1/4, Section 13-T15N-R2E. This application requests impoundment of water sufficient to maintain water to the outlet elevation. Dry Draw Location Notice No. 17244 was filed November 25 1959, for 67 acre-feet. The application is to include the additional 209 acre-feet of water for a total storage capacity of 276 acre-feet. The applicable portions of Dry Draw Location Notice No. 17244 are incorporated into this application. The water will be used for livestock watering, recreational use and fish and wildlife propagation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1662-1 with applicable portions of Dry Draw Location Notice No. 17244 incorporated because 1) unappropriated water is available, 2) existing right 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 Right Program, Foss



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 1998

Larry Nelson
HC 66B, Box 151
Buffalo, SD 57720

Dear Mr. Nelson:

Enclosed is Water Permit No. 1662-1 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 Program
(605) 773-3352

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.

NOTE: The applicable portions of Dry Draw Location Notice No. 17244 are incorporated into this permit.

NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE



Date 5/1/98

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

FROM: Larry Nelson HC 668 Box 151
(name) (address)
Buffalo SD 57720 (605) 375-3719
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 1662-1.

Water Permit No. 1662-1 states that the diversion system is to be constructed by 9/23/2003, and that the water is put to beneficial use by 9/23/2007.
(date) (date)

The diversion system was completed on Approx 1960-61.
(date)

Applying the water to beneficial use was completed on 5/1/98.
(date)

You may schedule an investigation so that the Water License may be issued.

Larry James Nelson
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 17, 2000

1662-1

Larry Nelson
HC 68B, Box 151
Buffalo, SD 57720

Dear Mr. Nelson:

The investigation of your water use system was conducted on August 31, 1999, by Timothy G. Schaal, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1662-1. 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.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416439

Pierre, _____

March 23, 2000

RECEIVED OF Larry Nelson, HC 66B, Box 151, Buffalo, SD 57720
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. 1662-1

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By _____

Chief Engineer

Harland Estelle

Permit No. 1662-1
Moreau 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, August 31, 1999, made a thorough examination of the water use system constructed by Larry Nelson of HC 66B Box 151, Buffalo, SD 57720 holder of Permit No. 1662-1, bearing the priority of November 25, 1959 (67 ac-ft) and January 20, 1998 (209 ac-ft) authorizing the storage of 276 acre-feet of the waters of runoff for recreation, fish & wildlife and livestock use purposes, in Harding County.

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

A. Works used to divert the water:

22.5 foot high earth dam with 276 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:

22.5 foot high earth dam with 276 acre-feet storage capacity

The system is in the following condition Good. The point of diversion is located 150 feet north & 1800 feet east of the SW corner of Sec. 18-T15N-R3E. (SE ¼ SW ¼). The works are capable of storing 276 acre-feet of water which is to be used for recreation, fish & wildlife and livestock use. Water has been put to beneficial use to the maximum extent as follows:

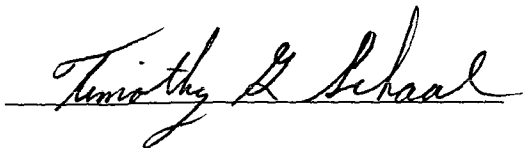
22.5 foot high earth dam with 276 acre-feet storage capacity

Note: When the storage capacity was increased to 276 acre-feet, the diversion ditch for the downstream irrigation was removed; therefore, there is no longer any irrigation associated with this dam.

and the license should be issued 276 acre-feet of storage.

Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: March 14, 2000



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

REPORT ON INSPECTION OF PERMIT NO. 1662-1

Other permit(s) associated with the project: XXXX

DATE OF INSPECTION: August 31, 1999

NAME & ADDRESS OF INSPECTION CONTACT/ Larry Nelson

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Larry Nelson, HC 66B Box 151, Buffalo, SD 57720

DIVERSION POINT LEGAL LOCATION: 150 feet north & 1800 feet east of the SW corner of Section 18-T15N-R3E (SE ¼ SW ¼).

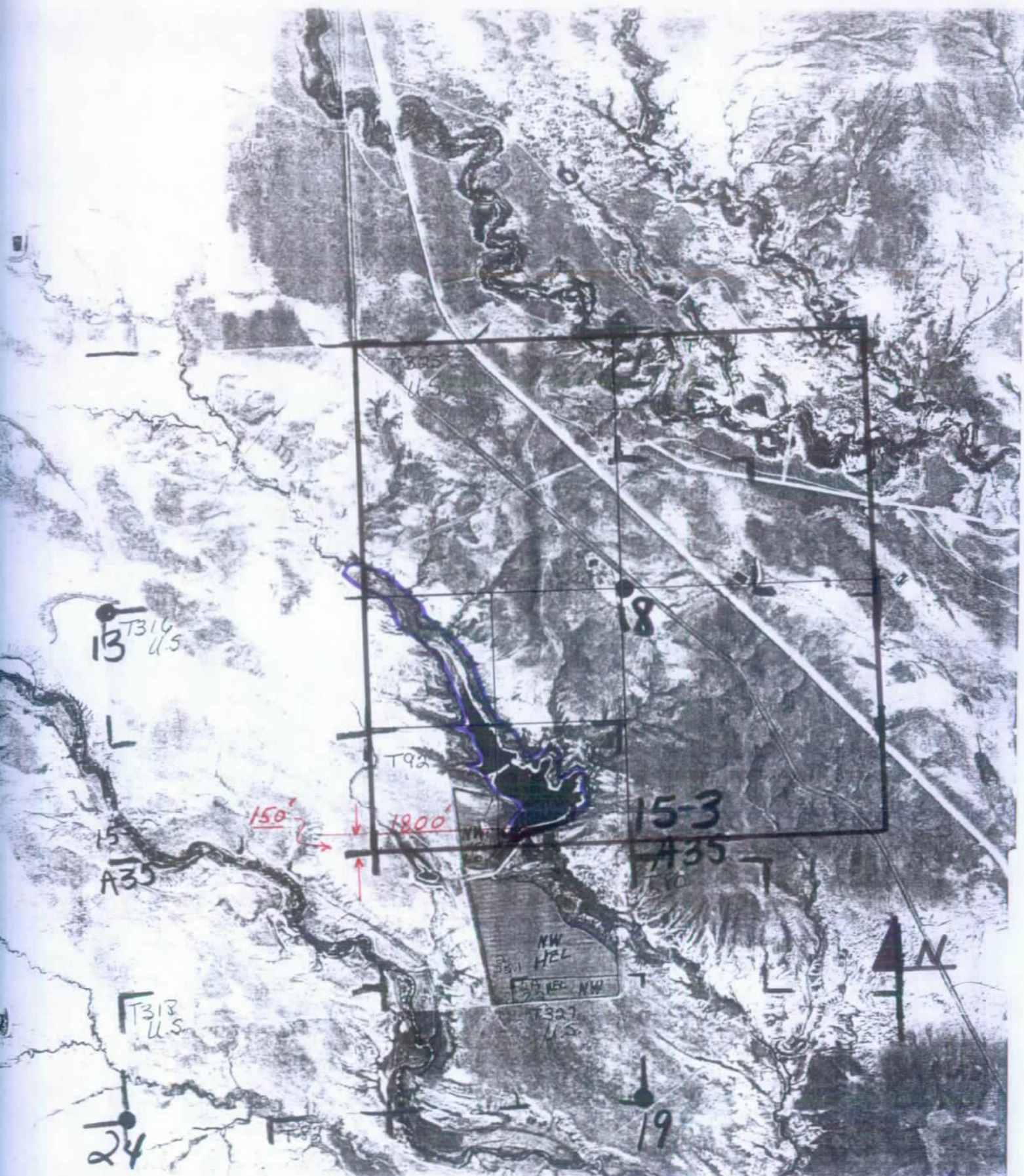
DAM INFORMATION:

- 1) Height to crest 22.5 feet
- 2) Height to primary spillway 18.5 feet
- 3) Height to secondary spillway N/A feet
- 4) Crest width 16 feet
- 5) Crest length 1300 feet
- 6) Spillway length XXX feet
- 7) Spillway width 80 feet
- 8) Approx. storage (Normal) 276 acre-feet
- 9) Approx. storage (Maximum) 350 acre-feet
- 10) Date constructed: 1997

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

1662-1



Water Permit Application #1662-1

Timothy H. School

March 14, 2000

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1662-1

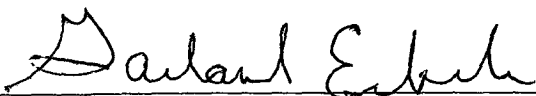
(1) Larry Nelson, HC 66B Box 151, Buffalo SD 57720 made Application No. 1662-1, January 20, 1998 for a water permit to impound 276 acre-feet of water from runoff, Harding County, South Dakota for fish & wildlife propagation, recreation and livestock watering purposes. Permit No. 1662-1, with priority dates of November 25, 1959 (67 acre-feet) and January 20, 1998 (209 acre-feet) was approved March 23, 1998 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 23, 2003 and for the application to beneficial use of said water on or before September 23, 2007.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on May 5, 1998. The *Notice* stated the diversion system was completed in 1960 and the water placed to beneficial use on May 1, 1998.

(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 276 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 is 150 feet north and 1,800 feet east of the southwest corner of Section 18-T15N-R3E (SE ¼ SW 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 Larry Nelson, HC 66 B Box 151, Buffalo SD 57720 the holder and/or owner of Water Right No. 1662-1 is issued a license to appropriate water, the right to impound 276 acre-feet of water from runoff with sufficient water annually to maintain the water level to the outlet elevation with priority dates of November 25, 1959 (67 acre-feet) and January 20, 1998 (209 acre-feet) from the location specified in (2) of this license for fish & wildlife propagation, recreation and livestock watering purposes. This license is subject to any limitations or qualifications listed in Water Right No. 1662-1 and subject to South Dakota State Law.


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

APR 10 2000

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 10 2000

1662-1

Larry Nelson
HC 66B, Box 151
Buffalo, SD 57720

Dear Mr. Nelson:

Enclosed is Water License No. 1662-1 and Receipt No. 416439 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 1662-1 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