

USFS
Jeff 374-3542

WATER PERMIT NO. 2337-2/663-1

Phone: 605 374-5576

Name of Applicant: Grand River Cooperative Grazing District

Post Office Address: PO Box 538, Lemmon SD 57638

Amount of Water Claimed: 104.8 AF Total Acres: NA

Source of Water Supply: runoff

Water to be used for: recreation, fish & wildlife, livestock water County: Perkins

Location: 17 miles south of Lemmon

PRIORITY Date Received: 5-5-1995 Fee: \$150.00

Corrected Application Received: 5-30-95 Period of Annual Use: Jan 1 - Dec 31

Remarks: _____

Diversion Point: SE 1/4 SW 1/4 Sec 4-T20N-R16E

Water Impounded: SE 1/4 SW 1/4 Sec 4 and

NE 1/4 NW 1/4 Sec 9; all in T20N-R16E

5		4		3	
		8			
8		9		10	

Well Log: Driller: _____ Licensed: YES _____ NO _____

Depth of Well: _____ REMARKS: _____

Type of Map: topo Prepared By: Forst Morin, GRDR Reviewed and the Number

Assigned on: 5-30-95 By: Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT NO. 2337-2**

Date of first receipt of application May 4, 1995.

Date of return to applicant for corrections, amendments or changes May 17, 1995.

Date of receipt of corrected application May 30, 1995.

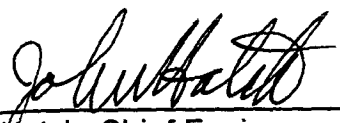
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2337-2 to the Grand River Cooperative Grazing Association, PO Box 538, Lemmon SD 57638-0538 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2337-2 authorizes impoundment of 104.8 acre-feet of water from local runoff in a dam located in the SE 1/4 SW 1/4 Section 4 with water impounded in the SE 1/4 SW 1/4 Section 4 and the NE 1/4 NW 1/4 Section 9; all in T20N-R16E. This permit appropriates sufficient water to maintain the water level in the dam at the primary spillway elevation.
2. The water appropriated shall be used for the purpose of supplying water for recreational purposes, fish and wildlife production and livestock watering and may not exceed the amount of water needed for beneficial use.
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. 2337-2 is July 10, 1995.
5. The date from which applicant may claim right is May 4, 1995.
6. One-fifth of the construction is to be completed on or before January 10, 1998.
7. All construction is to be completed on or before July 10, 2000.
8. Water is to be put to beneficial use on or before July 10, 2004.
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. 2337-2 authorizes a dam with storage capacity of 104.8 acre-feet of water and sufficient water annually to maintain the water level to the primary spillway 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

JUL 19 1995

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. 2337-2 Hydrologic Unit 101.30302
Basin Grand River
Newspaper The Lemmon Leader, PO Box 180
(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 Water
(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.) _____

- Name of Applicant Grand River Cooperative Grazing District Phone (605) 374-5576
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address P.O. Box 538 Lemmon State SD 57638
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed _____ *CFS or _____ **GPM 104.8 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply runoff
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) _____
Dam - SE1/4SW1/4 Section 4-T20N-R16E Water Impounded: SE1/4 SW1/4 Section 4
and NE1/4 NW1/4 Section 9; all in T20N-R16E County Perkins
- County or counties where water will be used Perkins
- Annual period during which water is to be used May - October Jan 1 - Dec 31
- 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)

This application is for an existing dam which will be deepened for fish habitat. It is presently located within a wildlife enclosure. No permit was recorded when original dam was constructed in 1962.

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 Perkins)^{ss}

Don R. Corp. Aug. Dist. 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 Don A. Peterson Secretary/Treasurer

Subscribed and sworn to before me this 1st day of May 19 95

Mary Haase

Notary Public My commission expires 6/4/2001

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

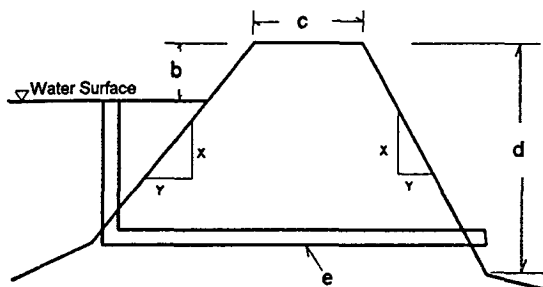
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

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.

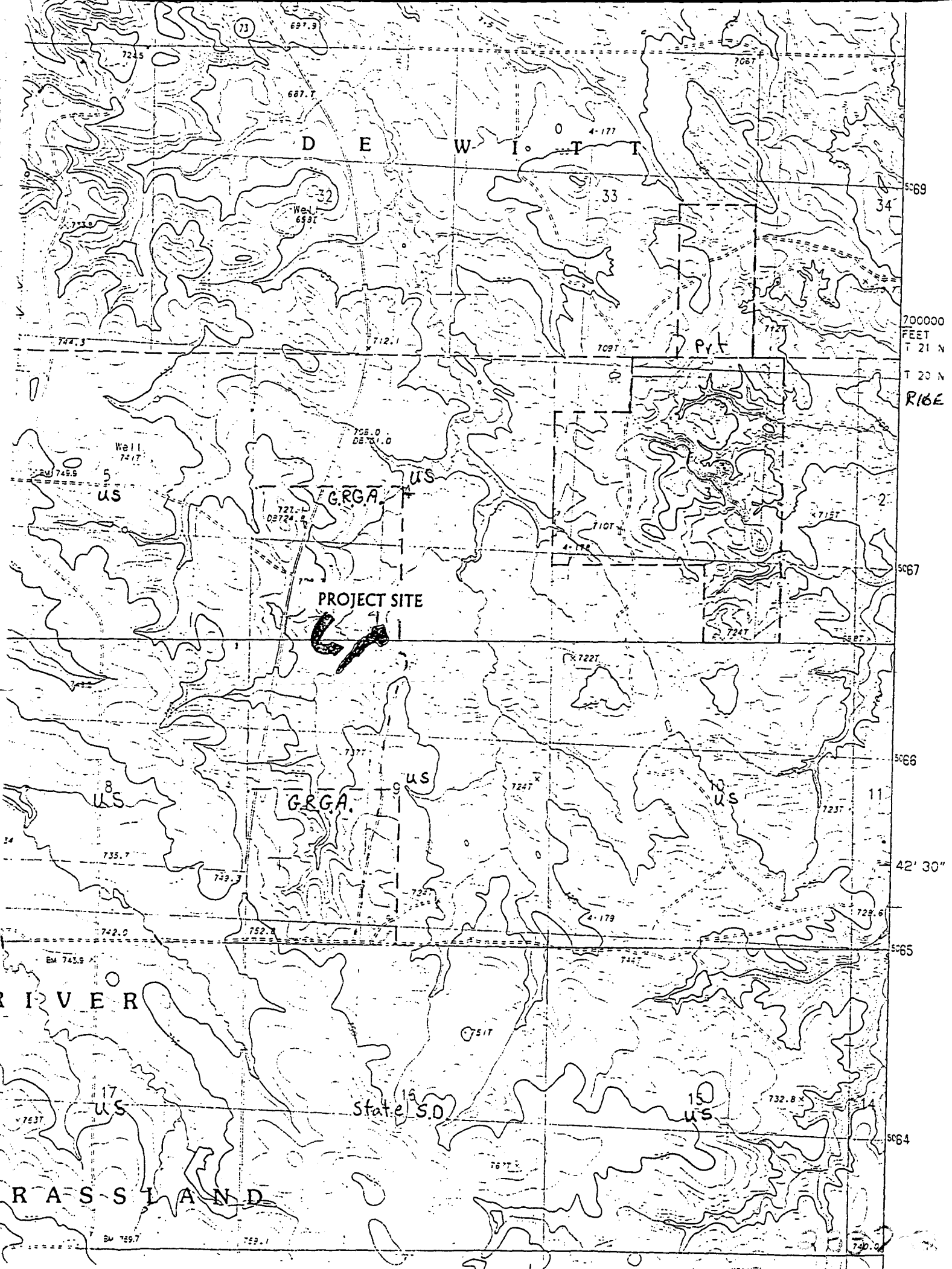
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

USDA, Forest Service (Don McGuire)
161 21st St. W., Dickinson, ND 58601
(701) 225-5151



- b) Freeboard _____ 3 feet
- c) Crest Width _____ 10 feet
Crest Length _____ 1055 feet
- d) Height _____ 21 feet
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____ Natural
Spillway Width _____ 100 feet vegetated
- g) X & Y Slope
Upstream _____ 3:1
Downstream _____ 2:1
- h) Surface Area of Impoundment _____ 13 acres
- i) Storage _____ 100 _____ Acre Feet
- j) Drainage Area Above Dam _____ 400 _____ Acres





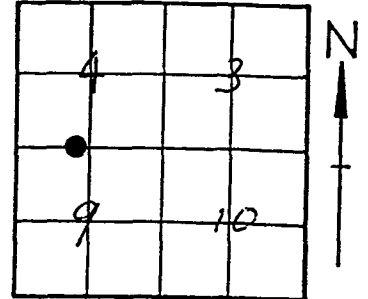
SMALL DAMS DATA SHEET

CUSTER NATIONAL FOREST

RANGER DISTRICT

Permittee Custer National Forest
County Perkins State South Dakota
Stockwater Dam No. _____
Hazard Class Low Adm. Class _____
Cost-sharing Program (ACP, GPCP, CP, etc.) _____

LOCATION MAP



T 20N R 16E Sec. 9

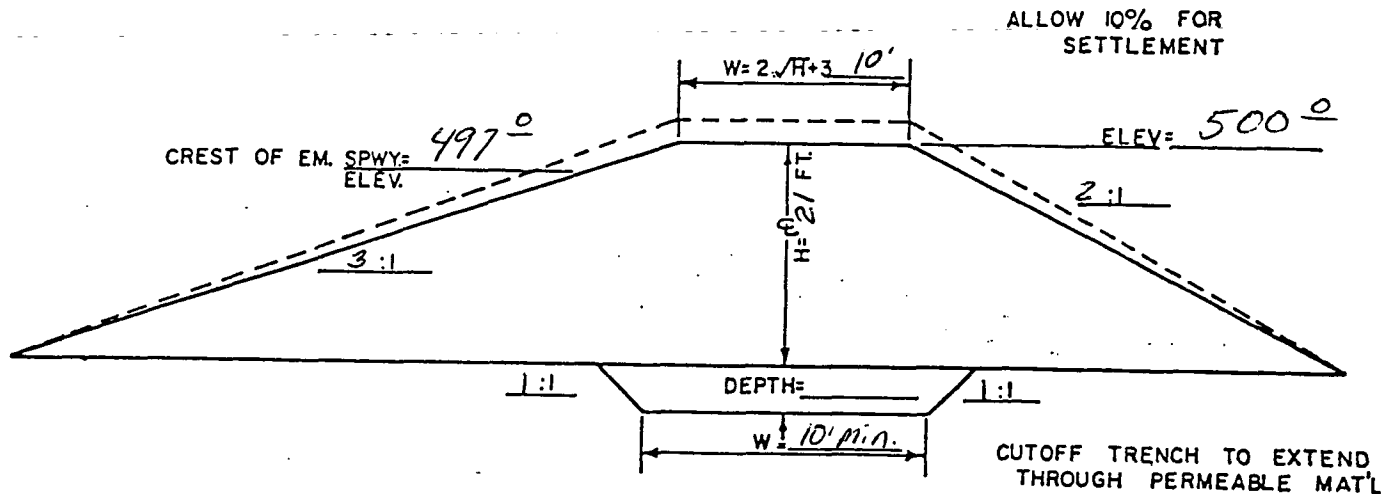
Reservoir

1. Surface Area _____
2. Maximum Depth 19'
3. Storage Capacity _____
4. Length of Reservoir Fetch _____
5. Possibility of Wave Action Moderate

Embankment

Minimum Criteria

1. Upstream slope 3:1
2. Downstream slope 2:1
3. Top width 10'



DESIGN CROSS SECTION STA. = _____

SOIL TEST HOLES

STREAM BED

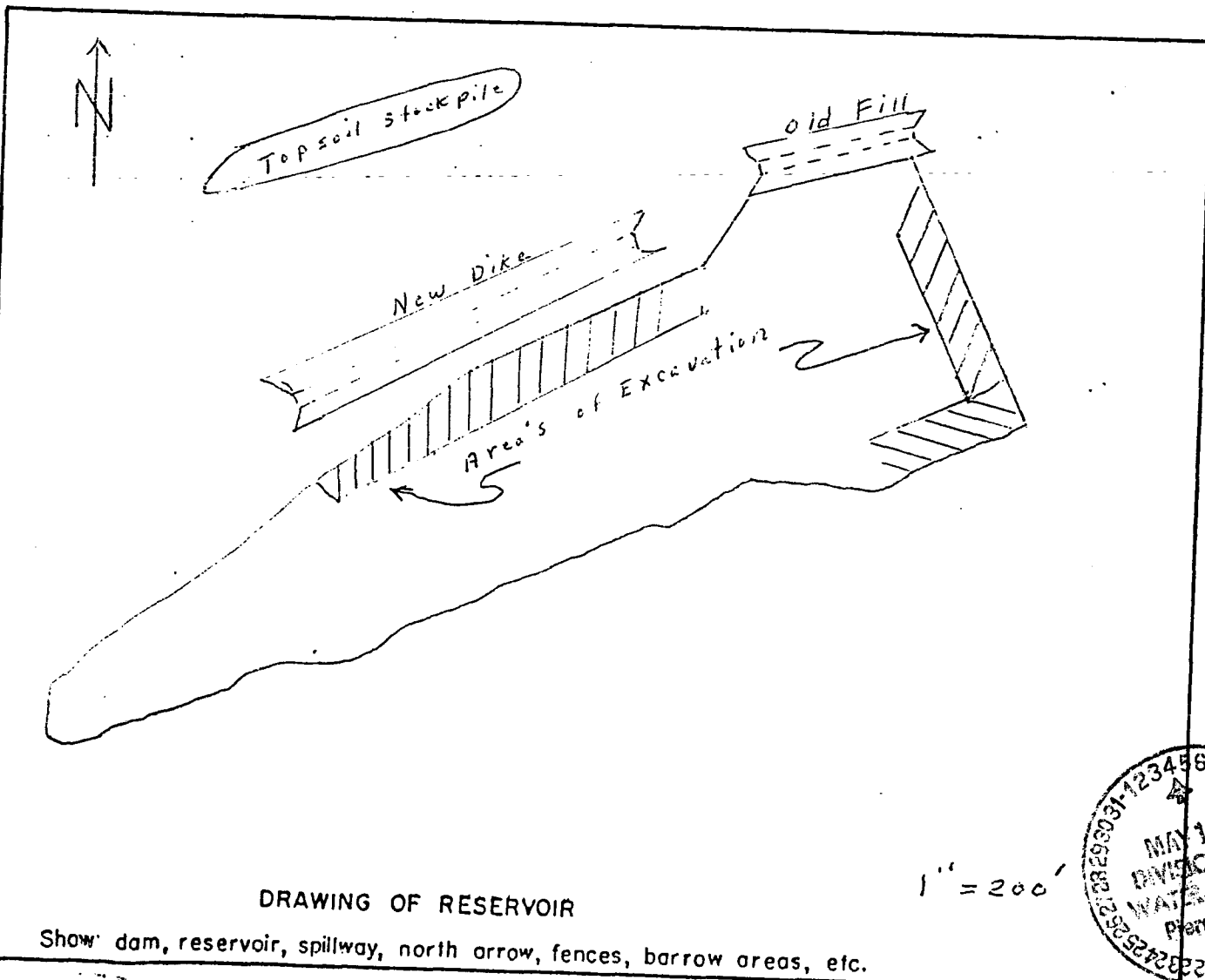
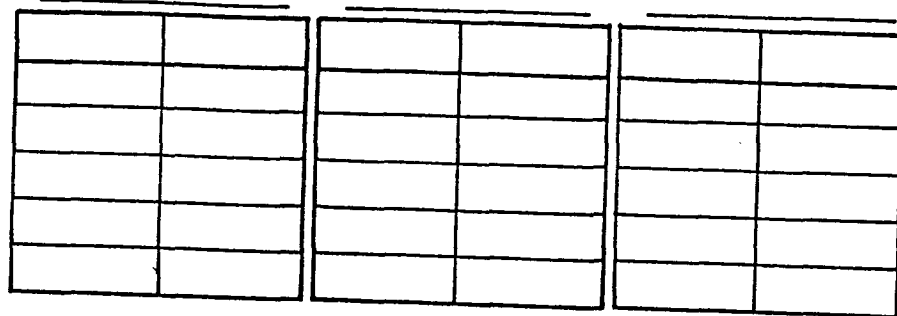
BORROW AREA

SPILLWAY

		BORROW AREA		SPILLWAY	
DEPTH	CLASS	DEPTH	CLASS	DEPTH	CLASS
TO		TO		TO	
TO		TO		TO	
TO		TO		TO	
TO		TO		TO	
TO		TO		TO	

UNIFIED SYSTEM SYMBOLS

GW - Well graded gravels
GP - Poorly graded gravels
GM - Silty gravels
GC - Clayey gravels
SW - Well graded sands
SP - Poorly graded sands
SM - Silty sands
SC - Clayey sands
ML - Inorganic silts
CL - Inorganic clays
OL - Organic silts
MH - Inorganic silts
CH - Inorganic clays
OH - Organic clays
Pt - Peat



DRAWING OF RESERVOIR

Show dam, reservoir, spillway, north arrow, fences, barrow areas, etc.





United States
Department of
Agriculture

Forest
Service

East
Zone
Engineering

REPLY TO: 2610

Date: April 25, 1995

SUBJECT: Pasture 9 Dam
NW NW Section 9, T20N R16E BHM

TO: District Ranger, Grand River RD

Attached are the original mylar plat and copies of the above project
for you use.

CURTIS W. GLASOE
Forest Cadastral Engineer

Attachment

cc: Carol McKoy Brown



GRAND RIVER DISTRICT

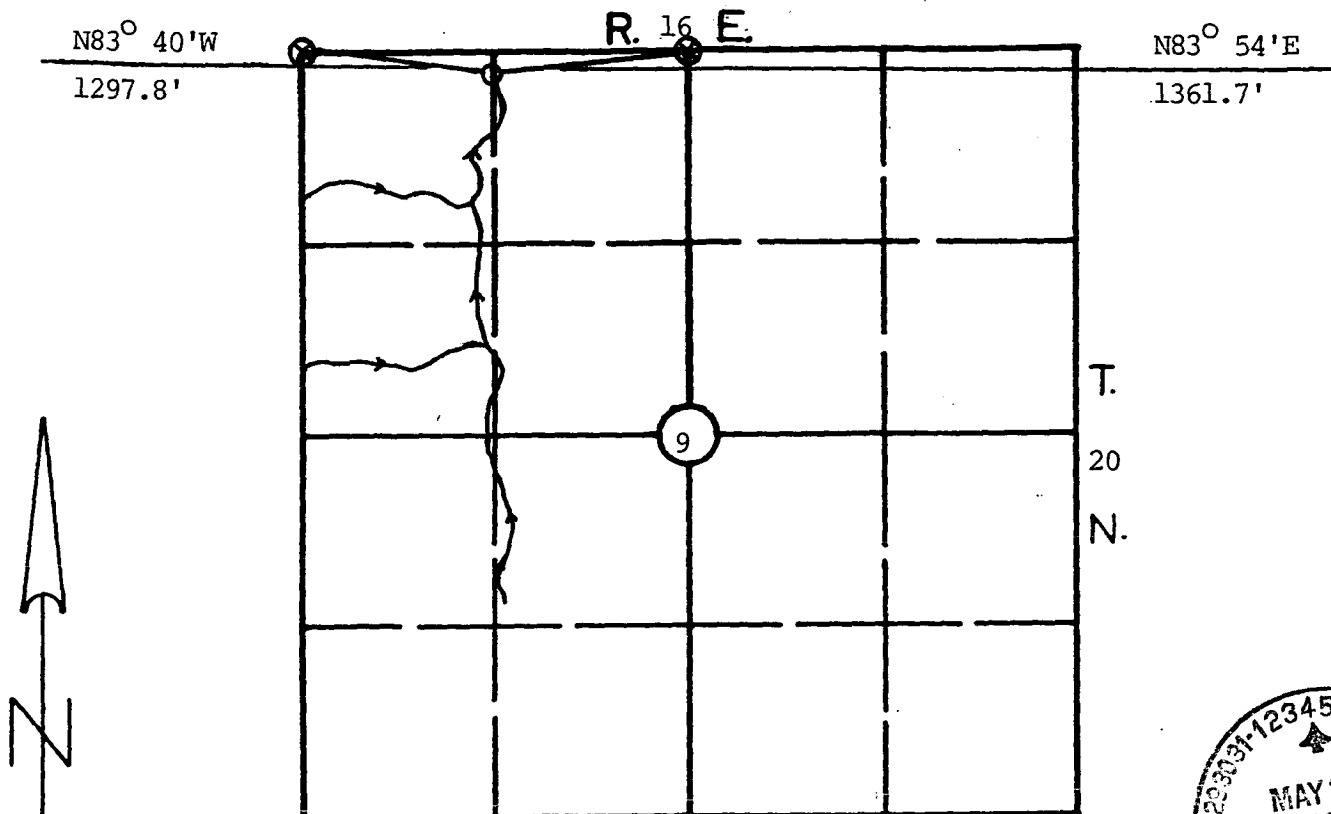
APR 27 1995

	NOV	ACTION
RANGER	_____	_____
RANGE ODN	_____	_____
RANGE TECH	_____	_____
RANCH TECH	_____	_____
SS	_____	_____



Caring for the Land and Serving People

Pasture 9 PROJECT
Grand River RANGER DISTRICT
CUSTER NATIONAL FOREST
BILLINGS, MONTANA



○ PROPOSED SITE

⊙ BRASS CAP

⊗ Aluminum Cap



STATE OF SOUTH DAKOTA)

) SS

Scale: 1 inch=1320 feet

COUNTY OF Perkins)

I, Curtis W. Glasoe of Dickinson, N. Dakota do hereby certify that this map was made from information taken from a field survey by me, (or, made under my direction by Mark Aughtman for whose work I stand personally responsible), the 25th day of April, 1995, and that it correctly represents the recreation/wildlife habitat works described in the accompanying application, together with a meander of streams and shows accurately the location and area of the lands proposed to be developed in each subdivision.

Curtis W. Glasoe RLS #4120
Surveyor

Map to accompany

Approved: _____
State Engineer

Application No. _____

REPLY TO: 7500

Date: 4/20/95

SUBJECT: Pasture 9 Dam

TO: District Ranger, Grand River Ranger District

Enclosed is the map showing the drainage area (400 acres) and water storage (100 acre feet) of the proposed reconstruction of the Pasture 9 dam in section 4 and 9, T20N R16E, B.H.M.



CURTIS W. GLASOE
Forest Cadastral Engineer

cc:C.McCarthy:SO



GRAND RIVER DISTRICT

APR 21 1995

	FOR ACTION
RANGER	☒
RANGE COM	☒
RANGE TECH	☐
RANCH TECH	☐
SNS	☐



Caring for the Land and Serving People



Water Permit Application #2337-Z
Grand River Cooperative Grazing Dist.
Perkins County

Top of Dam Elev. - 500 $\geq$ 3 ft.
Spillway Elev. - 497
Dam Height - 22 ft.

Cat. 3 Low Hazard Dam

Normal Storage Capacity - 105 Ac.-Ft.
Max. Storage Capacity - 148 Ac.-Ft.

Max. Storage (148) x Eff. Height (22) = 3256 $>$ 3000 $\therefore$ 50 year
Min. Spillway Design

Using Tech. for Est. Flood Peaks in SD (USGS WRI 80-80)

$$\begin{aligned}
 DH &= 400 \text{ Ac} = 0.625 \text{ mi}^2 & Q_{50} &= 106 A^{.67} S^{.45} S_i^{-.67} & Q_{100} &= 132 A^{.67} S^{.46} S_i^{-.67} \\
 \text{Slope} &= 70 \text{ ft/mile} & &= 106(.625)^{.67} (.70)^{.45} (2.66)^{-.67} & &= 132(.625)^{.67} (.70)^{.46} (2.66)^{-.67} \\
 S_i &= 2.66 & &= 106(.74)(6.76)(0.51) & &= 132(.74)(7.09)(0.52) \\
 & & &= \underline{270 \text{ cfs}} & &= \underline{360 \text{ cfs}}
 \end{aligned}$$

$$\begin{aligned}
 \text{Spillway Flow} - Q &= CLH^{7/2} \quad L = 100 \text{ ft} \\
 &= 2.6(100)^{7/2} \quad H = 3 \text{ ft} \\
 &= \underline{1350 \text{ cfs}}
 \end{aligned}$$

Section 74:02:08:09

1. Topo Map - OK
2. Dam Axis Profile - OK
3. Max. X-Sec. - OK
4. Area Capacity Data - OK
5. Outlet Detail - N/A - OK
6. Spillway Rating - NO - OK (only 3' head)
7. Spillway Detail - OK
8. Specs - N/A - OK
9. EPP - Cat. 3 N/A - OK

SCS Annual Yield

Use CN = 80 - Cabba Soils
Fair Range Land
ISO = 1 1/2

$$50\% \text{ chance} = \underline{0.46}$$

$$0.46 \times 400 / 12 = \underline{15 \text{ Ac.-Ft}}$$

$$10\% \text{ chance} = \underline{0.85}$$

$$\underline{0.85} \times 400 / 12 = \underline{28 \text{ Ac.-Ft}}$$



United States
Department of
Agriculture

Forest
Service

East
Zone
Engineering

161 21st ST W
Dickinson ND 58601-3135

Reply to: 7500

Date: May 26, 1995



Tim Schaal
Division of Water Rights
Pierre, SD 57501

As per your request, here are the pond capacities in acre feet of water at
different dam heights for the Pasture 9 dam.

Bottom of dam	0.0 feet	0.0 acre feet
Existing dam	14.5 feet	34.8 acre feet
Spill way height	19.4 feet	104.8 acre feet
New dam height	22.4 feet	147.8 acre feet

Sincerely,

CURTIS W. GLASOE
Forest Cadastral Engineer

cc: Forest Morin, Grand River District Ranger



Caring for the Land and Serving People



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 17, 1995

Grand River Cooperative Grazing District
Jane A. Peterson, Secretary-Treasurer
PO Box 538
Lemmon SD 57638

Dear Ms. Peterson:

We have received the application for permit to appropriate water. It appears that the storage capacity of the dam will be 100 acre-feet based on the information submitted. The filing fee for this application will be \$150.00.

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

Sincerely,

Karen Schlaak
Environmental Scientist
605 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 7, 1995

Curtis W. Glascoe
Forest Engineer
USDA Forest Service
161 21st St. W
Dickinson, ND 58601-3135

Dear Mr. Glascoe:

We have reviewed the plans and specifications for the Grand River Cooperative Grazing District Pasture 9 Dam located in the SW 1/4 of Section 4-T20N-R16E, in Perkins 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. 2337-2 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 Grand River Cooperative Grazing District, as owner of the dam, from the responsibility for operating and maintaining the dam in good repair to ensure the safety of the dam.

The Pasture 9 Dam will be classified as a small size Category 3, Low Hazard Dam with an embankment height of 22 feet, a normal storage capacity of 105 acre-feet and a maximum storage capacity of 148 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

c: Jane A. Peterson, Secretary/Treasurer, Grand River Grazing Coop.

REPORT ON
WATER PERMIT APPLICATION NO. 2337-2
GRAND RIVER COOPERATIVE GRAZING DISTRICT
June 7, 1995

Water Permit Application No. 2337-2 has been filed by the Grand River Cooperative Grazing District to impound 104.8 acre-feet of water by reconstructing an existing dam. This application requests appropriation of sufficient water to maintain the water level in the dam at the primary spillway elevation. The dam is located in the SW 1/4 of Section 4-T20N-R16E on an unnamed tributary to the Grand River, in Perkins County. The impounded water will be used for domestic livestock watering, recreation and fish and wildlife production.

Discussion:

The Pasture 9 Dam will be classified as a Category 3, Low Hazard dam. The dam has been designed by USDA Forest Service and the plans and specifications have been reviewed and approved; however, construction cannot start until Water Permit Application No. 2337-2 is approved.

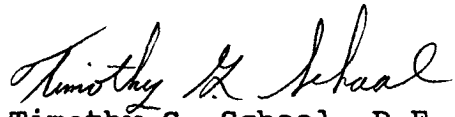
The reconstructed dam will be 22 feet high with a normal storage capacity of 104.8 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 148 acre-feet with a reservoir level at the top of dam elevation. A dam of this size and hazard classification is required to have a minimum spillway design capable of passing a 50-year frequency event. The Pasture 9 Dam has a drainage area of 400 acres (0.625 square miles) and a 50-year frequency event produces a peak runoff of approximately 270 cfs. A 100-year frequency event produces a peak runoff of approximately 360 cfs. The Pasture 9 Dam will have a 100 foot wide natural earth spillway with 3 feet of available head. This spillway will have the capacity to pass approximately 1350 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 approximately 15 acre-feet. The annual yield for this basin with a 10 percent chance of occurrence, or 1 out of 10 years, is expected to be 67 acre-feet.

The Pasture 9 Dam is located on an unnamed tributary to the Grand River approximately 3 miles upstream of the confluence with the Grand River. There are no existing Water Permits/Rights on this tributary. Approval of Water Permit Application No. 2337-2 should have no adverse effects on existing Water Permits/Rights.

Conclusions:

1. Water permit Application No. 2337-2 should be approved since unappropriated water is available and approval should not have any adverse effects 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. 2337-2



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. 2337-2, Grand River cooperative Grazing District**

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. 2337-2, Grand River Cooperative Grazing District, c/o Jane Peterson, Secretary-Treasurer, PO Box 538, Lemmon, SD 57638.

The Chief Engineer is recommending APPROVAL of Application No. 2337-2 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. Water Permit No. 2337-2 authorizes a dam with storage capacity of 104.8 acre-feet of water and sufficient water annually to maintain the water level to the primary spillway 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
June 14, 1995



**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.

June 15, 1995

Jane Peterson, Secretary/Treasurer
Grand River Cooperative Grazing District
PO Box 538
Lemmon, SD 57638

Dear Ms. Peterson:

Water Permit Application No. 2337-2 for recreation, fish & wildlife production, and livestock watering 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 Lemmon Leader printed at Lemmon, SD (Ph # 605-374-3751). 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

June 15, 1995

The Lemmon Leader
PO Box 180
Lemmon, SD 57638-0180

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2337-2 to be published twice. Please publish the first notice on June 20, 1995, 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 Grand River cooperative Grazing District, c/o Jane Peterson, Secretary/Treasurer, PO Box 538, Lemmon, SD 57638 (Ph # 605-374-5576).

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

Affidavit of Publication

STATE OF SOUTH DAKOTA

}
} ss:
}

COUNTY OF PERKINS

I, Ann Williams

being the first duly sworn under oath say: The Lemmon Leader is a legal weekly newspaper of general circulation as required by South Dakota Code of Nineteen Hundred Thirty-Nine, and any acts amendatory thereto, published by the Leader Publishing Co., Inc. in Lemmon, in said county and state, and has been such legal newspaper during the time hereinafter mentioned; that during all of said time as an employee or officer of said newspaper I have had personal knowledge of the facts stated in this affidavit; that the advertisement headed:

Notice of Application No. 2337-2 to Appropriate Water

a printed copy of which is hereto attached, was printed and published in said newspaper for two successive weeks upon the following dates, to-wit:

June 20, 27, 1995

that the full amount of the fees charged for publishing the same to-wit: the sum of 50.86 inures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for any division of this sum has been made with any other person; and that no part of said sum has been agreed to be paid to any person whomsoever.

Ann Williams

Subscribed and sworn to before me this 18th day of July, 1995.

Alice A. Gustaf
Notary Public, South Dakota

(Seal)

My Commission Expires
February 7, 1997

NOTICE OF APPLICATION NO. 2337-2 to Appropriate Water

Notice is given that Grand River Cooperative Grazing District, PO Box 538, Lemmon, SD 57638, has filed application for a water permit to impound 104.8 acre-feet of water from local runoff by constructing a dam located in the SE 1/4 SW 1/4 Section 4 with water impounded in the SE 1/4 SW 1/4 Section 4 and the NE 1/4 NW 1/4 Section 9; all in T20N-R16E. This application requests appropriation of sufficient water to maintain the water level in the dam at the primary spillway elevation. The water is to be used for recreational purposes, fish and wildlife production, and livestock watering.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No 2337-2 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 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 July 10, 1995.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reason 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. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

(Publish June 20, 27, 1995)





JUL 19 1995

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Jane Peterson, Secretary/Treasurer
Grand River Cooperative Grazing Association
PO Box 538
Lemmon, SD 57638-0538

Dear Ms. Peterson:

Enclosed is Water Permit No. 2337-2 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 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.



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

Date 8/18/95

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

FROM: Grand River Cooperative Grazing District P.O. Box 538

(name)

(address)

Lemmon

SD

57638-0538 (605) 374-5576

(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. 2337-2.

Water Permit No. 2337-2 states that the diversion system is to be constructed by

July 10, 2000

(date)

July 10, 2004

(date)

The diversion system was completed on August 1, 1995

(date)

Applying the water to beneficial use was completed on August 1, 1995

(date)

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

Jane A. Peterson

(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 1998

2337-2

US Forest Service
PO Box 390
Lemmon SD 57638

Dear Sir:

The investigation of the water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2337-2, has been completed by Tim Schaal on November 14, 1997. This is a 104.8 acre-feet storage dam located in the SE 1/4 SW 1/4 Section 4-T20N-R16E formerly owned by the Grand River Cooperative Grazing District. The 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, we will begin processing your Water License.

Also, enclosed is a *Notice of Transfer of Ownership* form. This form needs to be completed, signed, notarized and returned with a \$2.50 filing fee.

Please submit \$52.50 to: Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
(605) 773-3352

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

42 415643

Pierre, February 11, 19 98

RECEIVED OF USDA Forest Service, P.O. Box 390, Lemmon, SD 57638
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. 2337-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

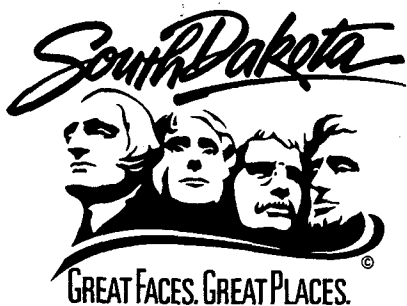
(Any Other Work Provided by Law)

Total

50 00

By _____
Chief Engineer

John Hatcher (C)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 11, 1998

2337-2

US Forest Service
PO Box 390
Lemmon SD 57638

Dear Sir:

We have received the *Notice of Transfer of Ownership* form and the appropriate fees for the transfer and water license regarding Water Permit No. 2337-3.

We noted that the *Notice of Transfer of Ownership* form was signed and notarized by a representative of the Grand River Cooperative Grazing District. The form needs to be signed by a representative of the Forest Service since the Forest Service is now the owner of the water permit. Enclosed is another form to be signed and notarized.

Upon receipt of the form, the Water License No. 2337-2 will be issued. If you have questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352

GRAND RIVER DISTRICT

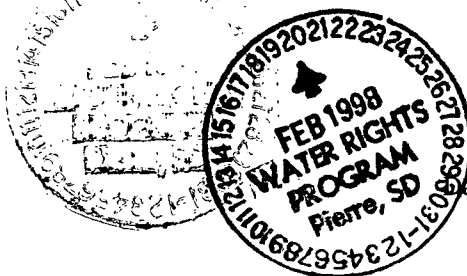
FEB 18 1998

	DATE	ACTION
DANGER		
RANGE CON		
RANGE TECH		
RANCH TECH		
END		

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 2337-2



Date: 2/17/98

I/We request that Water Permit No. 2337-2

formerly owned by: Grand River Cooperative Grazing District

be transferred to: (name & address) USDA Forest Service, Grand River District
P.O. Box 390, Lemmon, SD 57638 Telephone No. 605-374-3592

Title to the following described land(s)/property has been transferred as described above:

104.8 acre-feet storage dam located in the SE 1/4 SW 1/4 Section 4-T20N-R16E

I/We understand that the validity of Water Permit No. 2337-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Perkins)

I/We Jeff Thomas, Acting District Ranger being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Jeff Thomas
(Signed)

Subscribed and sworn to before me this 17th day of February, 1998.

May Hesse
(Notary Public) My Commission Expires 6/4/2001

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

415642

Pierre, February 11, 19 98

RECEIVED OF USDA Forest Service, P.O. Box 390, Lemmon, SD 57638
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. _____		
Fee for Filing Transfer Form <u>Water Permit No. 2337-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By _____
Chief Engineer

John Hatch

1663-1
Permit No. ~~2337-2~~
Grand 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 14, 1997, made a thorough examination of the water use system constructed by Grand River Cooperative Grazing District of PO Box 538, Lemmon, SD 57638 holder of Permit No. ~~2337-2~~ ¹⁶⁶³⁻¹, bearing the priority of May 4, 1995 authorizing the of 104.8 acre-feet of the waters of runoff for recreation, fish & wildlife service, and livestock use purposes, Perkins County.

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

A. Works used to divert the water:

21 foot high earthen dam with a normal storage capacity of 104.8 ac-ft and a maximum storage capacity of 148 ac-ft

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

C. Works used to apply water to beneficial use:

Earthen dam

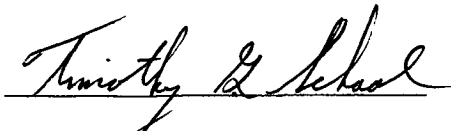
The system is in the following condition Good. The point of diversion is located 300 ft. north & 2250 ft. east of the SW corner of Section 4-T20N-R16E (SE ¼ SW ¼) The works are capable of storing 104.8 acre-feet of water which is to be used for recreation, fish & wildlife, and livestock use. Water has been put to beneficial use to the maximum extent as follows:

21 foot high earthen dam with a normal storage capacity of 104.8 ac-ft and a maximum storage capacity of 148 ac-ft

and the license should be issued for 104.8 acre-feet of storage.

Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: January 12, 1998



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

REPORT ON INSPECTION OF PERMIT NO. 2337-2

Other permit(s) associated with the project: XXXX

DATE OF INSPECTION: November 14, 1997

NAME & ADDRESS OF INSPECTION CONTACT/ Jane A. Peterson

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Sec./Treasurer

NAME & ADDRESS OF PERMIT HOLDER: Grand River Cooperative Grazing District, PO Box 538,
Lemmon, SD 57638

DIVERSION POINT LEGAL LOCATION: 300 ft. north & 2250 ft. east of the SW corner of Section 4-
T20N-R16E (SE ¼ SW ¼).

DAM INFORMATION:

- 1) Height to crest 21 feet
- 2) Height to primary spillway 18 feet
- 3) Height to secondary spillway N/A feet
- 4) Crest width 10 feet
- 5) Crest length 1055 feet
- 6) Spillway length XXX feet
- 7) Spillway width 100 feet
- 8) Approx. storage (Normal) 104.8 acre-feet
- 9) Approx. storage (Maximum) 148 acre-feet
- 10) Date constructed: August 1, 1995

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

MEADOW NW QUADRANGLE
SOUTH DAKOTA-PERKINS CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

1450000 FEET

DEWITT RIVER

Dam

2250'

300'

Water Permit No. 2337-2
Grand River Cooperative Grazing District

Timothy G. Schaal
Timothy G. Schaal, P.E.
January 12, 1998

MEADOW NW QUADRANGLE
SOUTH DAKOTA-PERKINS CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

19 20 10' 1450000 FEET 22 23 102° 07' 30" N 45° 45' W

D E W I T T

R I G H T

N

Water Permit No. 2337-2
Grand River Cooperative Grazing District

Timothy G. Schaal
Timothy G. Schaal, P.E.
January 12, 1998

MEADOW NW QUADRANGLE
SOUTH DAKOTA-PERKINS CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

1450000 FEET

DEWITT RIVER

Dam

2250'

300'

Water Permit No. 2337-2
Grand River Cooperative Grazing District

Timothy G. Schaal
Timothy G. Schaal, P.E.
January 12, 1998

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1663-1

(1) Grand River Cooperative Grazing District, PO Box 538, Lemmon SD 57638 made Application No. 2337-2, May 4, 1995 for a water permit to store 104.8 acre-feet of water from runoff, Perkins County, South Dakota for recreation, fish & wildlife production and livestock watering purposes. Permit No. 2337-2, with a priority date of May 4, 1995 was approved July 10, 1995 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 10, 2000 and for the application to beneficial use of said water on or before July 10, 2004.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on August 24, 1995. The *Notice* stated the diversion system was completed on August 1, 1995 and the water placed to beneficial use on August 1, 1995.

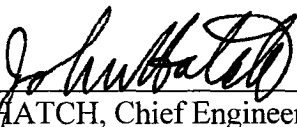
This water right has been reassigned a new water rights designation number to correctly reflect the division it is located. Originally, the water permit was assigned a number which reflected the wrong division designation used for administration purposes. The water right number for this use will now be No. 1663-1.

On February 20, 1998, Water Permit No. 1663-1 was transferred to USDA, Forest Service.

(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 104.8 acre-feet of water for beneficial use. The location of the diversion point is 300 feet north and 2,250 feet east of the southwest corner of Section 4-T20N-R16E (SE 1/4 SW 1/4).

(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, USDA Forest Service, Grand River District, PO Box 390, Lemmon SD 57638 the holder and/or owner of Water Permit No. 1663-1 is issued a license to appropriate water, the right to store 104.8 acre-feet of water from runoff with a priority date of May 4, 1995 from the location specified in (2) of this license for recreation, fish & wildlife production and livestock watering purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 1663-1 and subject to South Dakota State Law.



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

MAR 03 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 03 1998

1663-1

USDA Forest Service
Jeff Tomac, Acting District Ranger
Grand River District
P.O. Box 390
Lemmon, SD 57638

Dear Mr. Tomac:

Enclosed is Water License No. 1663-1 and Receipt No. 415642 for \$2.50 and Receipt No. 415643 for \$50.00 which was assessed for the transfer, investigation and issuance of the license. Water License No. 1663-1 is the final document which completes the process of obtaining a water right.

You will note that the water right has been assigned a new number (No. 1663-1). Originally the application filed by the Grand River Cooperative Grazing District was erroneously assigned number 2337-2. For administrative purposes, the state is broke into three divisions when assigning a number to water rights. The application when filed should have been assigned a division ONE number, but received a division TWO number. This number designation is solely for administrative purposes and does not change the 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

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Grand River Cooperative Grazing District's Water Permit

ADDRESS: PO Box 538 Lemmon, SD 57638 COUNTY: Perkins

DATE: March 2, 1998 TELEPHONE:

RE: Reassigning of indentifying number on water right for Grand River Cooperative Grazing District

COMMENTS:

During the licensing process for Water Permit No. 2337-2, Grand River Cooperative Grazing District it was discovered that the wrong division number was assigned to the water permit.

The District applied for a water permit on May 4, 1995, to impound 104.8 acre feet of water in a dam. In accordance with Board Rule 74:02:01:10 the application was assigned a number which is to be used in all official correspondence. However, the number assigned to the application indentified the wrong division.

For the purpose of numbering water permits in South Dakota, the state is divided into three divisions. All water permit east of the Missouri River are in division 3 (ie. 5190-3). Water permit west of the Missouri River are divided into division Nos. 1 and 2. Those in the northwest are identified as division 1 while permits in the southwest are division 2. The break point between division Nos. 1 and 2 is the boundary between Pennington and Meade County.

It is obvious that the District's application was inadvertently given a number (2337-2) which erroneously reflects the application location in division 2. To correct this error, the Water Rights Program will reassign a new number to the water right during the licensing process which correctly reflect the division. The water right will be issued as Water Right No. 1663-1.

This change is for administrative purposes and does not change the water right. The water right has also been transferred to the USDA, Forest Service, PO box 390, Lemmon, SD 57638.

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 Lundberg