

WATER PERMIT NO. 43C-1

Name of Applicant: SD Dept. Game, Fish & Parks

Address: Pierre SD Phone: 773-3387

Amount of Water Claimed: no add'l Total Acres:

Source of Water Supply: Little Spearfish Creek

Water to be used for: instream flow County: Lawrence

Type of Waste Disposal System:

Location:

PRIORITY Date Received: 10-21-03 Application/License Fee: \$NA

Corrected Application Received: Period of Annual Use: January 1 – December 31

Remarks: Amend Permit No. 43B-1 to year-round instream flow for 20 cfs

Diversion Point: NE ¼ SE ¼ Sec 36-T5N-R1E

Land to be Irrigated: NA

Depth of Well: NA

Well Driller: : NA

Remarks:

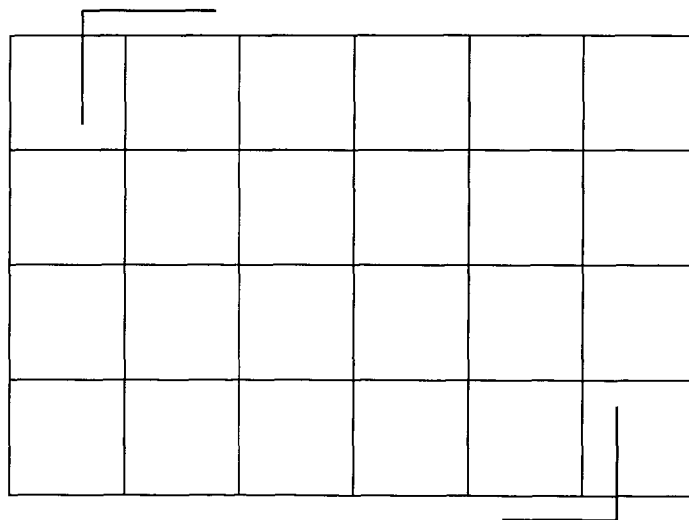
Type of Map:

Prepared by:

Reviewed and the Number Assigned on: 10-22-03

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>13C-1</u> (office use only) Hydrologic Unit <u>10120203</u>
	Basin <u>Belle Fourche R.</u>
	Newspaper <u>Black Hills Pioneer, Spearfish</u>

RECEIVED
OCT 21 2003
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

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. 43B-1

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) Amend permit to year-round instream flow for 20cfs on Little Spearfish Creek in the NE 1/4 SE 1/4, Section 36, T5N, R1E to the intake of hydropower plant No. 1 in the NW 1/4 SE 1/4, Section 8, T5N, R2E.

- Name of Applicant South Dakota Department of Game, Fish and Parks Phone (605) 773-3387
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 523 East Capital Avenue; Pierre State South Dakota
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 20 *CFS or **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Little Spearfish Creek
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
Little Spearfish Creek- NE 1/4 SE 1/4, Section 36, T5N, R1E
County Lawrence
- County or counties where water will be used Lawrence
- Annual period during which water is to be used Year Round
- 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 permit will provide for the 20 cfs instream flow for the months of July, August and September. It will extend and define the reach for the 20cfs of instream flow from the Little Spearfish Creek intake down to the Hydropant No. 1 intake on Spearfish Creek.

STATE OF SOUTH DAKOTA)

County of Hughes) SS

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)

I, John L. Cooper, 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.

Applicant's signature John L. Cooper

Subscribed and sworn to before me this 21st day of October 20 03

Jeanette L. Houneman
Notary Public signature

My Commission expires June 12, 2007.

**SOUTH DAKOTA
WATER PERMIT NO. 43C-1**

Date of first receipt of application October 21, 2003.

The Water Management Board approved Water Permit No. 43C-1 on March 3, 2004 for the South Dakota Department of Game, Fish and Parks, 523 E Capitol, Pierre SD 57501 authorizing placing of water to beneficial use by means of instream flow subject to the following limitations, conditions and qualifications:

1. Water Permit No. 43C-1 amends Water Permit No. 43B-1 to provide a 20 cubic feet of water per second year round instream flow on the stream segment on Little Spearfish Creek located in the NE ¼ SE ¼ Section 36, T5N, R1E (currently an intake point authorized by Water Right No. 137-1 for hydropower generation) and extending approximately 6.3 miles downstream to a point on Spearfish Creek located in the NW ¼ SE ¼ Section 8, T5N, R2E near Maurice. The intake on Little Spearfish Creek will be abandoned and no longer used for hydropower generation at the power plant near Maurice as authorized by Water Right No. 137-1. The diversion dam on Little Spearfish Creek will be maintained as a small pond fishery.
2. The water appropriated shall be used for the purpose of providing instream flows 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 from which applicant may claim right is January 4, 1909 (established by Water Right No. 43-1).
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

Water Permit No. 43C-1 amends Water Permit Nos. 43A-1 and 43B-1 and Water Right No. 43-1 without an increase in the appropriation authorized by Water Right No. 43-1.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

MAY 10 2004

date



March 12, 2003, SD DOT public meeting on reconstruction of culvert through Hwy 14A (6:00 PM – Spearfish Canyon Lodge)

People attending

Todd Seaman, DOT	Jerry Stevens, HDR Engineering	Kevin Goeden, DOT
Gary Engels, DOT	Rich Phillips, DOT	?project engineer?, DOT
Dick Fort	Karl Burke, Barrick	Jerry Boyer
Representative of homeowners	Representative of US Forest Service	Representatives of Spearfish Canyon Lodge

Todd Seaman

Mr. Seaman led the meeting and provided a history of why the construction was planned. The intent of the design is to design a culvert through the highway that would not change existing conditions. There is no way to design for a 100 year flood event because of topography. The channel below the road to the falls is very flat and becomes the controlling factor.

Jerry Stevens, HDR

Mr. Stevens conducted the hydrology study of the drainage basin. This is a 25 square mile basin

Event	Flow	Time it would take to fill an Olympic size pool at this flow
2 year	214 cfs	7 ½ minutes
10 year	1508 cfs	?
50 year	3138 cfs	Approx. 1 minute
100 year	3956 cfs	Approx. 24 seconds

The current aqueduct is a 30 inch pipe with a 24 inch orifice plate that controls inflow to the aqueduct. The aqueduct will convey 54 cfs during the 2 year event (25% of the event flow), 58 cfs during the 10 year event (4% of event flow).

The impact of the various event flows is that the 2 year flood will stay in the channel and the 10 year event goes out of the channel and flow divides around the Spearfish Lodge. During the 2 – 10 year event water will flow across a portion of the lodges parking lot. At between the 10 – 50 year event, water will come up to the lodges front door.

Water surface elevation change by closing the aqueduct

Event	Elevation change
2 year	4 inches
10 year	3/8 th of an inch
100 year	Approx. ½ of an inch

Gage @ 44° 24' 06" 103° 53' 40"

The existing culvert will overtop and flow will go across the road during the 2 year event even with the hydropower intake diverting at capacity. A 4 foot X 8 foot box culvert will carry the 2 year event but not the 10 year event (with the intake abandoned)

Todd Seaman, DOT

The plan is to design a 4' X 8' box culvert. The design plan and bid letting will occur in June. Construction is planned to begin right after the Sturgis rally concludes in August. The design will incorporate pre-cast sections. The contractor will be required to maintain one lane of traffic during construction. It will take about 10 days to cut, place the section and re-asphalt the road. The culvert ends will take about 2 weeks to put into place but this should not disrupt traffic flow. Total construction will be approximately 30 days.

While construction is occurring, DOT will coordinate with Homestake for them to divert all flow into the aqueduct so that the channel will be dry to aid in construction. This will mean no flow over the falls and probably fish mortality in stream segment. According to DOT, GF&P intends to retain the diversion structure which requires some work and then ongoing maintenance. The aqueduct will be abandoned

They again reiterated that this design will not eliminate flooding during higher events. The design is only intended to not change existing conditions

Spearfish Canyon Lodge representatives

They will have to provide an easement for construction on the portion above the inlet. They expressed concern over construction noise early in the morning or late in the evening. The contract will limit construction time between 8:00 AM and 8:00 PM which was acceptable to the Lodge.

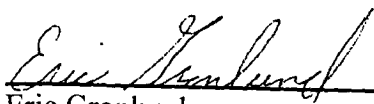
Dick Fort

Supportive of project. Wanted to know when entire hydroplant system will be abandoned. Karl Burke said they don't have any plan for shutting down the plants - are currently working through the FERC process.

Homeowner representative

Wanted reassurance that the additional flow in Spearfish Creek wouldn't affect downstream homeowners. Jerry Stevens, HDR, said his study looked at that issue and that the downstream impacts are negligible (they'd see absolutely no affect)

Meeting lasted approximately 40 minutes.



Eric Gronlund

Water Rights Program, DENR



January 6, 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

Richard L. Fort
11307 Black Forest Road
Lead SD 57754

Dear Mr. Fort:

Enclosed is a copy of the report, recommendation and public notice on Water Permit Application No. 43C-1 filed by the South Dakota Department of Game, Fish and Parks. The notice of hearing is to be published in the Black Hills Pioneer on January 14 and 21, 2004 scheduling a March 3rd hearing before the Water Management Board.

The purpose of the application is to provide for year round instream flow on the stream segment from the Little Spearfish Creek hydropower intake downstream to a point on Spearfish Creek near Maurice.

This information is being sent to you because of your continuing interest in water right issues along Spearfish Creek.

If you have any questions, please contact me at (605) 773-3352.

Sincerely,

Eric Gronlund
Water Rights Program
e-mail: eric.gronlund@state.sd.us

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 6, 2004

Jack Cole
PO Box 882
Spearfish SD 57783

Dear Mr. Cole:

Enclosed is a copy of the report, recommendation and public notice on Water Permit Application No. 43C-1 filed by the South Dakota Department of Game, Fish and Parks. The notice of hearing is to be published in the Black Hills Pioneer on January 14 and 21, 2004 scheduling a March 3rd hearing before the Water Management Board.

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This information is being sent to you because of your continuing interest in water right issues along Spearfish Creek.

If you have any questions, please contact me at (605) 773-3352.

Sincerely,

Eric Gronlund
Water Rights Program
e-mail: eric.gronlund@state.sd.us

enclosures

ACTion for the Environment

"Our environment is our economy"

**P.O. Box 291
Rapid City, SD 57709**

January 8, 2004

John Cooper
South Dakota Department of Game, Fish and Parks
523 East Capitol
Pierre, SD 57501

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JAN 12 2004

**WATER RIGHTS
PROGRAM**

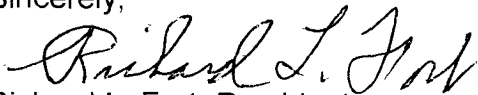
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources
Joe Foss Building, 523 East Capitol
Pierre, SD 57501

Dear Mr. Cooper and Mr. Erbele:

On behalf of ACTion for the Environment I should like to indicate our support without qualification for the Water Permit Application No. 43C-1.

We would, however, like to remind you that with the shut down of the old Homestake Power Plant No. 2 at Maurice a further action will be needed by the Water Management Board on Water License 137-1 which grants water rights to Homestake for power production in the amount of 75 cfs from both Little Spearfish and main Spearfish Creeks. This right has been abandoned. This right should be transferred to the Game, Fish and Parks Department for instream flow purposes as you have done for application 43C-1.

Sincerely,



Richard L. Fort, President
ACTion for the Environment

WATER PERMIT APPLICATION No. 43C-1
South Dakota Department of
Game, Fish, and Parks
523 East Capital Ave.
Pierre, SD 57501
(605)773-3387

Water Permit Application No. 43C-1, South Dakota Department of Game, Fish, and Parks (GF&P), proposes to amend Water Permit No. 43B-1 to provide 20 cubic feet per second (cfs) year around in-stream-flow in the segment of Little Spearfish Creek from the present diversion dam to the Spearfish Creek confluence and thence in Spearfish Creek to the intake site for Hydropower Plant No. 1 near Maurice, SD. (Attachments 1 & 2)

Review of Proposed Project

Water Right No. 43-1 and Water Permit No. 43A-1 were amended by Water Permit No. 43B-1 to provide in-stream-flow on portions of Little Spearfish and Spearfish Creeks during the annual July 1 to September 30 period. Homestake Mining Company's Water Right No. 137-1 was limited to only the diversion of flow in excess of 20 cfs into the aqueduct at the Little Spearfish Creek diversion dam (Attachment 1) during the months of July, August, and September of each year for power generation at Hydropower Plant No. 2.

Water Permit No. 43B-1 extended the reach for the annual July, August, and September 20 cfs in-stream-flow from the Little Spearfish Creek intake in the NE¼ SE¼ Section 36 T5N R1E (Attachment 1) to the Spearfish Creek intake for Hydropower Plant No. 1 located in the NW¼ SE¼ Section 8 T5N R2E near Maurice, SD (Attachment 2), a reach distance of approximately 6.3 miles.

Little Spearfish Creek flows and the aqueduct intake have been abandoned by Homestake Mining Company, but the small diversion dam will be renovated by SD GF&P to reclaim lost depth and repair minor structural defects. The SD GF&P intends to maintain the dam as a small pond fishery.

Water Source and Existing Water Rights

Little Spearfish Creek flows for approximately 15-miles north and east from near the South Dakota-Wyoming border over Roughlock and Spearfish Falls to the confluence with Spearfish Creek at Savoy, SD. This area of the Black Hills provides outdoor recreational opportunities combined with splendid Spearfish Canyon vistas.

The only holder of surface water rights in the area, Homestake Mining Company, transferred Water Permit 43B-1 to the SD GF&P and abandoned the Little Spearfish Creek intake authorized by Water Right 137-1 after the SD Department of Transportation completed construction of a new culvert on Highway 14A to accommodate the increased flow of water in Little Spearfish Creek.

This amendment to Water Permit No. 43B-1 will not infringe on prior water rights on Little Spearfish or Spearfish Creeks.

Conclusions

1. Water Permit Application No. 43C-1, South Dakota Department of Game, Fish, and Parks (GF&P) proposes to amend Water Permit No. 43B-1 to provide 20 cubic feet per second (cfs) year around in-stream-flow in the segment of Little Spearfish Creek from the present diversion dam to the Spearfish Creek confluence and thence in Spearfish Creek to the intake site for Hydropower Plant No. 1 near Maurice, SD.
2. Little Spearfish Creek flows and the aqueduct intake have been abandoned by Homestake Mining Company, but the small diversion dam will be renovated by SD GF&P to reclaim lost depth and repair minor structural defects. The SD GF&P intends to maintain the dam as a small pond fishery.
3. This amendment to Water Permit No. 43B-1 will not infringe on any prior water rights on Little Spearfish or Spearfish Creeks.



Donald E. Stroup
Natural Resources Project Engineer
DENR Water Rights Program

Reviewed by:



Mark D. Rath
Natural Resources Engineering Specialist
DENR Water Rights Program

References

South Dakota Department of Environment and Natural Resources, Water Rights Program
Records

No. 43C-1
SD Game Fish & Parks

Spearfish
Creek

Little
Spearfish Creek

Savoy

Spearfish Falls

BM
4956

Spearfish
Creek

Roughlock
Falls

Diversion
Dam



Donald E. Stroup
Donald E. Stroup
Natural Resources Project Engineer
DNR Water Rights Program

Attachment 1

No. 43C-1
SD Game Fish & Parks

Hydropower
Plant # 1 Intake

Aqueduct Terminus
Near Maurice

Little Spearfish Creek
Diversion Dam



Donald E. Stroup
Donald E. Stroup
Natural Resources Project Engineer
DNR Water Rights Program

Attachment 2

0 0.25 0.5 Miles



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 43C-1, South Dakota Department of Game, Fish and Parks**

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. 43C-1, South Dakota Department of Game, Fish and Parks, c/o John L. Cooper, 523 E. Capitol Avenue, Pierre SD 57501.

The Chief Engineer is recommending APPROVAL of Application No. 43C-1 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualification:

1. Water Permit No. 43C-1 amends Water Permit Nos. 43A-1 and 43B-1 and Water Right No. 43-1 without an increase in the appropriation authorized by Water Right No. 43-1.

See report on application for additional information.

Garland Erbele, Chief Engineer
November 21, 2003

Affidavit of Publication

STATE OF SOUTH DAKOTA)
COUNTY OF LAWRENCE

Stewart Huntington of said County and State being first duly sworn, on his oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Stewart Huntington, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and That I, Stewart Huntington, the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice of Hearing on
Application No 43C-1

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive and consecutive weeks, the first publication being made on the 14th day of Jan, 2004, and the last publication on the 21st day of Jan, 2004, that the full amount of fees charged for publishing same, to-wit: The sum of \$65.30, insures soley to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

Stewart Huntington
Subscribed and sworn to before me this 21st day of Jan, 2004.

Ardis Johnson
Notary Public, Lawrence County, South Dakota
My commission expires: 10-24-2004

RECEIVED
JAN 26 2004
WATER RIGHTS
PROGRAM

NOTICE OF HEARING on Application No. 43C-1 to Amend Water Permit No. 43B-1

Notice is given that the South Dakota Department of Game, Fish and Park, c/o John Cooper, 523 E. Capitol, Pierre SD 57501 has filed Water Permit application No. 43C-1 to amend Water Permit No. 43B-1.

Water Permit No. 43B-1 provided a 20 cubic feet of water per second instream flow on a portion of Little Spearfish Creek and Spearfish Creek for the months of July, August and September of each calendar year. The purpose of this application is to amend Water Permit No. 43B-1 to provide a year round instream flow on the stream segment on Little Spearfish Creek located in the NE 1/4 SE 1/4 Section 36, T5N, R1E (currently an intake point authorized by Water Right No. 137-1 for hydropower generation) and extending approximately 6.3 miles downstream to a point on Spearfish Creek located in the NW 1/4 SE 1/4 Section 8, T5N, R2E near Maurice. The intake on Little Spearfish Creek will be abandoned and no longer used for hydropower generation at the power plant near Maurice as authorized by Water Right No. 137-1. The diversion dam on Little Spearfish Creek will be maintained as a small pond fishery.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of application No. 43C-1 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.



Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights 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 February 20, 2004. 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.

The Water Management Board will consider this application at 10 A.M. March 3, 2004 in the Matthew Training center, Foss building, 523 E Capitol, Pierre SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The March 3, 2004 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by February 20, 2004.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by February 20, 2004, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

#840

Jan. 14, 21

Instruction to Newspaper - Publish first Notice on January 14, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 43C-1 to Amend Water Permit No. 43B-1

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This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 6, 2004

Black Hills Pioneer
PO Box 7
Spearfish SD 57783-0007

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 43C-1 to Appropriate Water to be published twice. Please publish the first notice on January 14, 2004 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 SD Department of Game Fish & Parks, % John Cooper, 523 E Capitol, Pierre SD (Ph # 605-773-3387).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

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

No. 43C-1

Date _____

We are in receipt of your letter of January 6, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 43C-1 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

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

January 6, 2004

SD Dept. of Game Fish & Parks
% John Cooper
523 E Capitol
Pierre SD 57501

Dear Mr. Cooper:

Water Permit Application No. 43C-1 for instream flow 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 Black Hills Pioneer printed at Spearfish, SD (Ph # 605-642-2761). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also 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

cc: Leslie Petersen, GF&P

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.

BEFORE THE WATER MANAGEMENT BOARD

FOR THE STATE OF SOUTH DAKOTA

IN THE MATTER OF:	)	
SOUTH DAKOTA GAME, FISH AND	)	FINDINGS OF FACT, CONCLUSIONS
PARKS WATER PERMIT	)	OF LAW, AND FINAL DECISION
APPLICATION NO. 43C-1	)	

FINDINGS OF FACT

1. The South Dakota Department of Game, Fish and Parks (GFP) filed Application 43C-1 to amend Water Permit No. 43B-1, a permit originally granted to Homestake Mining Company (Homestake). As set forth below, the GFP is Homestake's successor in interest to Water Permit 43B-1.

2. In March 2000, this Board amended Water Right No. 43-1 and Water Permit No. 43A-1 to add an additional use for instream flow purposes on a portion of Little Spearfish Creek and Spearfish Creek. This amended Water Permit (43B-1) is now being amended again.

3. Under Water Right No. 43-1, Homestake historically appropriated 120 cfs from Spearfish Creek for hydropower generation. Water Right No. 43-1 is a permit issued by the State Engineer in 1909 with a priority date of January 4, 1909, and remains in place.

4. The diversion point for Water Right No. 43-1 is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T5N-R2E, Lawrence County. Water is conveyed by means of stream flow and aqueducts to Homestake Hydropower Plant No. 1 located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, T6N-R2E (located on the south side of the city of Spearfish).

5. Under Water Permit No. 43A-1, Homestake was authorized an additional use of a portion of the appropriative water rights granted under Water Right No. 43-1 for instream flows on Little Spearfish Creek. This additional use for instream flow was authorized for a reach of Little Spearfish Creek beginning in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, T5N-R1E (a diversion point authorized by Water Right No. 137-1) and ending with the confluence of Little Spearfish Creek with Spearfish Creek in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T5N-R2E.

6. Water Permit No. 43A-1 was issued to Homestake in 1996. Water Permit No. 43A-1 has not been developed. The hydropower use continued under Water Right No. 43-1.

7. Water Permit No. 43B-1 amends Water Right No. 43-1 and Water Permit No. 43A-1 to add another instream flow use without increasing the quantity of water historically appropriated. Water Right No. 43-1 remained in place, however, and Homestake was still authorized to appropriate 120 cfs from Spearfish Creek.

8. Water Permit Application No. 43B-1 authorized use of 20 cfs of water, or that available if 20 cfs of flow was not present, on approximately 6.3 miles of Little Spearfish Creek and Spearfish Creek for instream flow for three months of each calendar year. The 6.3-mile reach began in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, T5N-R1E, on Little Spearfish Creek (an intake point authorized by Water Right No. 137-1 for Hydropower Plant No. 2), extended beyond the confluence of Little Spearfish Creek with Spearfish Creek, and continued on in Spearfish Creek to a point in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T5N-R2E (diversion point for Homestake Hydropower Plant No. 1). Homestake retained the

January 4, 1909, priority date for Water Right No. 43-1, Water Permit No. 43A-1, and Water Permit No. 43B-1.

9. Application 43C-1 seeks authority to use water for instream flow purposes at the same rate of diversion and in the same stretch of the stream as Water Permit 43B-1. It differs in three ways, from Permit 43B-1. First, the application seeks authority for year-round instream use, rather than just the three months previously authorized. The change in use from three months to a year-round permit requires board action under SDCL 46-5-31. Second, the diversion works (aqueduct intake) have been abandoned, except for a small dam to be maintained as a pond fishery. The diversion point location is, however, the same and requires no board action. Third, it was filed by GFP, the successor in interest. The change in ownership was filed pursuant to SDCL 46-5-32 and requires no further action from this Board.

10. This application is made to comply with paragraph 17 of a Consent Decree entered into among the State of South Dakota, Homestake, the United States of America, and the Cheyenne River Sioux Tribe. State of South Dakota v. Homestake Mining Company of California and United States and Cheyenne River Sioux Tribe v. Homestake Mining Company of California, D.S.D. (Civ. Nos. 97- 5078 and 97-5100). District Court Judge Battey issued final approval of the Consent Decree on September 2, 1999. Prior to this final approval, the Consent Decree was noticed for public comment. No public comments were received. Issuance of final approval of the Decree was not appealed.

11. The Decree settled a natural resource damage claim filed against Homestake for damages occurring as a result of mining activities conducted between 1877 and 1977. As part of

the Decree (paragraph 17), Homestake agreed to the three-month diversion from the Little Spearfish intake described above, provided that this Board approved the use. The use was approved in Water Permit 43B-1.

12. A further part of paragraph 17 provides that the instream flow use for recreational and aesthetic purposes is to become permanent upon "final and complete closure of operations at the Homestake mine in Lead, South Dakota." Homestake is now closing its mining operations and has transferred Water Permit 43B-1 to GFP to effectuate the operative provisions of paragraph 17.

13. This proposal allows for a waterfall in Spearfish Canyon on a permanent basis, so long as water is available. Public access is available with a walking trail at this location. Further, the proposal may have a positive effect on fisheries.

14. Through the Consent Decree and through its transfer of Water Permit 43B-1, Homestake has consented to mandatory use of the instream flow amendment described above.

15. Water from Little Spearfish Creek and Spearfish Creek was historically taken from the intake for Water Right No. 137-1 and transported through a 52-inch pipe to Homestake Hydropower Plant No. 2 (authorized by Water Right No. 137-1). That intake has now been abandoned and the water generally flows free, and through a culvert under Highway 14A. Notwithstanding the abandonment of diversion works on Little Spearfish Creek for Water Right No. 137-1, the water right remains in place. There is a second intake on Spearfish Creek upstream of Savoy.

16. A small pond fishery will remain in place at the location of the former Little Spearfish intake. The reach of the instream flow will begin at the pond.

17. As this Board has previously found (Water Permits 43A-1 and 43B-1), Spearfish Creek flows over the Deadwood formation from Savoy to the Hydropower Plant No. 1 intake (February 7, 1996, Finding of Fact 8) (March 4, 2000, Finding of Fact 14) .

18. The stretch of Spearfish Creek between Savoy and the intake for Hydropower Plant No. 1 is a gaining stream. Increases in the flow of Spearfish Creek come from smaller tributaries to Spearfish Creek and numerous small springs along the Creek (February 7, 1996, Finding of Fact 9) (March 4, 2000, Finding of Fact 15).

19. Since the pertinent stretch of Spearfish Creek is a gaining stream, discontinuing carriage of water through Homestake's pipeline between Savoy and the intake for Hydropower Plant No. 1 would not have an adverse effect on irrigators downstream of the city of Spearfish (February 7, 1996, Finding of Fact 10). The portion diverted by Homestake (or its successor) for Hydropower Plant No. 1 will not harm the irrigators either. The irrigators will not be harmed since they will still be, at least in part, receiving water carried through the pipelines (as they have since 1909). No irrigators intervened in this proceeding.

20. The instream flow use would allow for public access and opportunities for fishing and other outdoor recreation, fish and wildlife habitat protection, scenic beauty, and enhancement of scenic, natural, and recreational values of Spearfish Canyon.

21. If the bypassed water considered in this application is allowed to flow in its natural course, a falls will likely be restored at the location where Little Spearfish Creek confluences with Spearfish Creek near Savoy, and the quality of fishing may improve in Spearfish Creek.

22. Spearfish Creek is designated by this Board for cold water fishery, ARSD 74:51:03:10, and is considered to be a blue ribbon trout stream.

23. Granting GFP the authority for 20 cfs for instream flow use would protect Little Spearfish Creek and part of Spearfish Creek from other off-stream diversions that would impair such instream flow use.

24. The proposed use for instream flow is a beneficial use in that preserving trout streams and recreational values are beneficial uses.

25. The proposed use is in the public interest in that it allows for recreation, fishing, and preservation of aesthetics.

26. There are no other existing water rights/permits along the 6.3-mile reach involved in this application. The proposed instream flow use will not impair existing water rights.

27. Richard L. Fort intervened in support of this application.

CONCLUSIONS OF LAW

1. The State of South Dakota, and consequently this Board, has subject matter jurisdiction since: (a) the State acquired the right to regulate water use upon statehood in 1889; (b) water involved in this matter was originally permitted by the State Engineer pursuant to the 1907 water law, 1907 S.D. Sess. Laws ch. 180; and (c) the water is part of the State's continuing public trust responsibility.

2. The Legislature has delegated the State's authority to grant water appropriation permits to this Board. Pursuant to SDCL chs. 46-1 and 46-6, this Board is authorized to hear and decide this application.

3. The application is complete and meets the requisites of a properly filed application as required by SDCL ch. 46-2A and SDCL 46-5-31, and rules promulgated thereunder.

4. The Chief Engineer issued his recommendation in this matter on a timely basis pursuant to SDCL 46-2A-2.

5. Notice of hearing was timely published in an area newspaper as required by SDCL 46-2A-4. The notice included the required information set forth in SDCL 46-2A-4.

6. Richard L. Fort supports this application. No other petitions to intervene or application to otherwise participate in this proceeding were filed with the Chief Engineer.

7. Under SDCL 46-1-6(3), a proposed use is a beneficial use if it is reasonable, useful, and beneficial to the appropriator and is also in the interest of the public in the best utilization of water supplies.

8. This proposed use is in the best interest of both the appropriator and of the public in the best utilization of water supplies. Since this use would enhance recreational values in Spearfish Canyon, GFP would be benefited since the Department's mission is to foster recreation and fisheries.

9. The proposed use is a beneficial use in terms of the best utilization of public resources in that water would be used both for nonconsumptive aesthetic and recreational uses.

10. The proposed use is in the public interest in that it allows for recreational use including improvement in quality of existing trout habitat, and allows for the re-establishment of

the Spearfish falls during times when sufficient water is available.

11. This proposal involves consideration of the instream flow use based on three rationale: recreation, aesthetics, and fisheries habitat. This Board concludes that any one of these three reasons would, alone, demonstrate that the proposal constitutes a beneficial use and is in the public interest.

12. The GFP proposal would not result in an increase of the diversion rate.

13. The GFP proposal meets the criteria set forth in SDCL §§ 46-2A-9, 46-2A-12, and 46-5-30.4.

14. Nothing in this proceeding constitutes a determination on the finality or adequacy of the closure of Homestake's mining operations or reclamation.

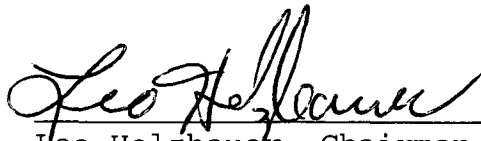
FINAL DECISION

Water Permit No. 43C-1 is approved with the following qualifications as recommended by the Chief Engineer:

Water Permit No. 43C-1 amends Water Permit No. 43B-1 without an increase in the appropriation authorized by Water Right No. 43-1.

Dated this 11 day of March, 2004.

BY THE BOARD:

A handwritten signature in dark ink, appearing to read "Leo Holzbauer", is written over a horizontal line.

Leo Holzbauer, Chairman
S.D. Water Management Board
(on behalf of the Board)



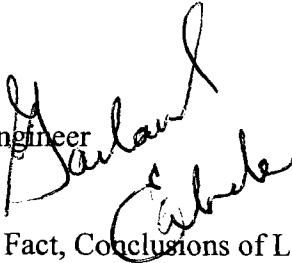
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 15, 2004

NOTICE

TO: Leslie Petersen
SD Department of Game, Fish and Parks
Joe Foss Building
523 E. Capitol Avenue
Pierre SD 57501

FROM: Garland Erbele, Chief Engineer
Water Rights Program 

SUBJECT: Adoption of Findings of Fact, Conclusions of Law and Final Decision

This is to notify you that the Final Decision, including Findings of Fact and Conclusions of Law, were adopted March 3, 2004, by the Water Management Board approving Water Permit Application No. 43C-1. A copy of the signed Findings of Fact, Conclusions of Law and Final Decision is enclosed.

Enclosure

c: John Guhin, Deputy Attorney General
Diane Best, Assistant Attorney General

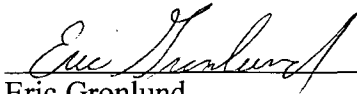
CERTIFICATION

I hereby certify that on March 15, 2004, I personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 15, 2004, regarding adoption of findings of fact, conclusions of law and final decision approving Water Permit No. 43C-1, addressed as stated below.

Leslie Petersen
SD Department of Game, Fish and Parks
Joe Foss Building
523 E. Capitol Avenue
Pierre SD 57501

A copy of the Notice was sent Inter-office to:

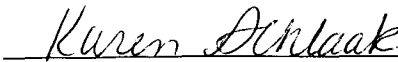
John Guhin, Deputy Attorney General
Diane Best, Assistant Attorney General



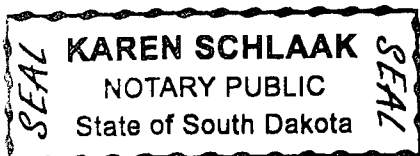
Eric Gronlund
Natural Resource Engineer
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 16th day of March, 2004.



Karen Schlaak
Notary Public
My Commission expires April 1, 2007





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

MAY 10 2004

43C-1

South Dakota Department of Game, Fish & Parks
c/o Leslie Peterson
523 E Capitol
Pierre SD 57501

Dear Ms. Peterson:

Enclosed is Water Permit No. 43C-1 authorizing placing of water to beneficial use by means of instream flow, not exceeding the limits as specified in the Water Permit.

An informational sheet *?Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

Permit Nos. 43A-1, 43B-1 & 43C-1

Upper Cheyenne River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have on this day, 9/15/2015, made a thorough examination of the water use system constructed by SD Department of Game, Fish & Parks, 523 E Capitol, Pierre SD 57501 holder of Permit Nos. 43A-1, 43B-1 & 43C-1 bearing the priority date of January 4, 1909.

Water Permit No. 43C-1 amends Water Permit No. 43B-1 to change the annual period of use from the months of July through September to year-round for instream flow purposes. Permit No. 43C-1 authorizes 20.0 cubic feet of water per second (cfs) for instream flow use on the stream segment beginning at a point located at the Hydropower Plant #2 intake on Little Spearfish Creek (NE¼ SE¼ Section 36, T5N-R1E) and ending at a point located at the Hydropower Plant #1 intake on Spearfish Creek (NW¼ SE¼ Section 8, T5N-R2E).

Water Permit Nos. 43A-1, 43B-1 & 43C-1 do not authorize an increase in the diversion rate or the volume of water and will retain the January 4, 1909 priority date established by Vested Water Right No. 43-1.

The water right and water permits associated with the water use system are as follows:

Vested Water Right No. 43-1 originally appropriated 120.0 cubic feet of water per second (cfs) from Spearfish Creek for year-round industrial use in the generation of hydroelectric power at Hydropower Plant #1 located in the SW¼ Section 15, T6N-R2E.

Water Permit No. 43A-1 amended Vested Water Right No. 43-1 to add instream flow use and appropriate 20.0 cfs for year-round instream flows on Little Spearfish Creek. The amendment defined the instream flow segment beginning at a point located at the Hydropower Plant #2 intake on Little Spearfish Creek (NE¼ SE¼ Section 36, T5N-R1E) and ending at a point at the confluence of Little Spearfish Creek and Spearfish Creek (SW¼ NW¼ Section 31, T5N-R2E).

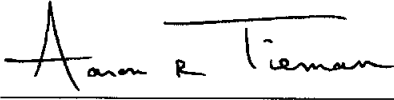
Water Permit No. 43B-1 amended Water Permit No. 43A-1 to provide the 20.0 cfs instream flow but change the annual period of use from year-round to the months of July through September. The amendment also redefined the instream flow segment beginning at a point at the Hydropower Plant #2 intake on Little Spearfish Creek (NE¼ SE¼ Section 36, T5N-R1E) and ending at a point at the Hydropower Plant #1 intake on Spearfish Creek (NW¼ SE¼ Section 8, T5N-R2E).

All structures, wells and lands on map Y

Exceptions to compliance are: none.

Report of Examination of Works
Permit Nos. 43A-1, 43B-1 & 43C-1

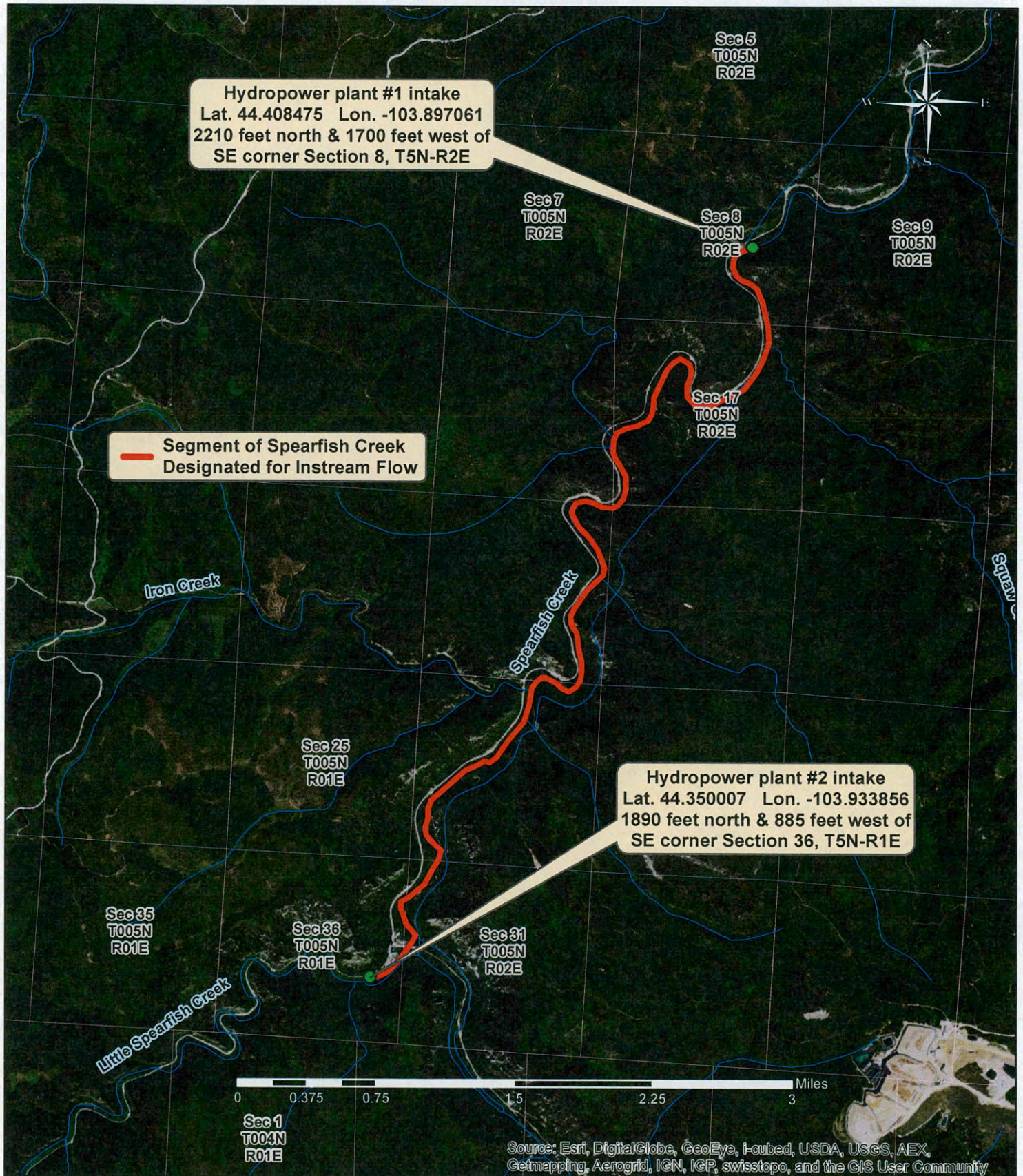
Comments: The applicable portions of Water Permit No. 43A-1 and Water Permit No. 43B-1 should be incorporated into Water Permit No. 43C-1.

A handwritten signature in black ink that reads "Aaron R. Tieman". The signature is written in a cursive style with a horizontal line above the name.

Aaron Tieman
Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: **September 29, 2015**

Water Permit Nos. 43A-1, 43B-1 & 43C-1
SD Game, Fish & Parks
September 29, 2015



Aaron R. Tieman

Aaron Tieman
Natural Resources Engineer II
DENR Water Rights Program



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 43C-1

(1) The SD Department of Game, Fish & Parks, 523 E Capitol, Pierre SD 57501 made Application No. 43C-1, October 21, 2003 for a water permit to amend Water Permit No. 43B-1 to provide 20.0 cubic feet of water per second (cfs) year round instream flow on the stream segment on Little Spearfish Creek located in Lawrence County, South Dakota. Permit No. 43C-1, with a priority date of January 4, 1909 (established by Water Right No. 43-1) was approved March 3, 2004.

Associated water right and permits:

- Water Right No. 43-1, held by the City of Spearfish, authorizes appropriation of 120 cfs from Spearfish Creek for hydropower generation.
- Water Permit No. 43A-1, amended Water Right No. 43-1 to add an additional use for instream flow purposes on a portion of Little Spearfish Creek. The amendment authorized an additional use from the stream without increasing the amount of water appropriated. No. 43A-1 allowed the use of up to 20 cfs for instream flow purposes from a point located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T5N, R1E to the confluence of Little Spearfish Creek and Spearfish Creek located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, T5N, R2E.
- Water Permit No. 43B-1 amended Water Permit No. 43A-1 and Water Right No. 43-1 to provide instream flows on a portion of Little Spearfish Creek and Spearfish Creek for three months each calendar year and to extend the reach of instream flow. The amendment redefined the instream flow segment beginning at a point at Hydropower Plant #2 on Little Spearfish Creek (NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T5N, R1E) and ending at a point at the Hydropower Plant #1 intake on Spearfish Creek (NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T5N, R2E).

Water Permit No. 43C-1 provided the 20 cfs instream flow on a year round basis on the stream segment of Little Spearfish Creek specified in Water Permit No. 43B-1. The intake on Little Spearfish Creek was abandoned and no longer used for hydropower generation as authorized under Water Right No. 137-1. The diversion dam on Little Spearfish Creek will be maintained as a small pond fishery. **The applicable portions of Water Permit Nos. 43A-1 and 43B-1 are incorporated into Water License No. 43C-1.**

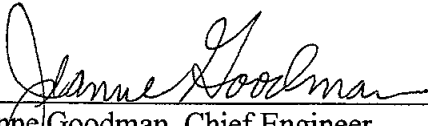
(2) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(3) Pursuant to South Dakota Water Law 46-5-30.1 the SD Department of Game, Fish & Parks, 523 E Capitol, Pierre SD 57501 the holder and/or owner of Water Right No. 43C-1 is issued a license to provide a 20.0 cubic feet of water per second year round instream flow with a priority date of January 4, 1909 (established under Water Right No. 43-1) on a stream segment on Little Spearfish Creek located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T5N, R1E to a point on Spearfish Creek located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T5N, R2E near Maurice, SD.

continued

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 43C-1 and subject to the following qualification:

- Water Permit No. 43C-1 amends Water Permit Nos. 43A-1, 43B-1 and Water Right No. 43-1 without an increase in the appropriation authorized by Water Right No. 43-1.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 15 2016
date



43C-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

JUN 15 2016

43A-1
43B-1
43C-1

Leslie Murphy
SD Department of Game Fish & Parks
523 E Capitol
Pierre SD 57501

Dear Ms. Murphy:

Enclosed is Water License No. 43C-1. This is the final water right document completing the process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

Upon licensing, the applicable portions of Water Permit Nos. 43A-1 and 43B-1 were incorporated into Water License No. 43C-1. 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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures