

1. Considered: October 7, 1982 Water Right No. 1827-2
2. Name of Applicant Department of Game, Fish and Parks
3. Post Office Address Pierre
4. Amount of Water Claimed 1.34 maximum acre feet
5. Source of Water Supply Missouri River
6. Water to be used for Fish Hatchery acres to be irrigated
7. County Stanley about 25N, 2W miles of HAYES
8. PROOF OF PUBLICATION: Received 1st 9-30-82 Not Received
- APPLICATION: Approved 10-7-82 Subject to OK
- Not Approved Action Deferred

PRIORITY
9/2/82

Dated Received 9/2/82 Application complete-yes x no FEE n/a

Remarks Foster Bay Swawning and Imprint Station

Corrected Application received Period of Annual Use continuously

WATER
QUALITY
n/a

Received yes no APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application-yes no Remarks

Disapproved Returned

					*
				22	

Diversion Point

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22-T9N-R25E

Land to be irrigated

WELL LOG

Driller Licensed - yes no

Depth

Remarks

MAP Map No. 1577-2 Map located in Water Right _____ Map file _____
Type of Map drawn Prepared by Winston Douglas PE

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

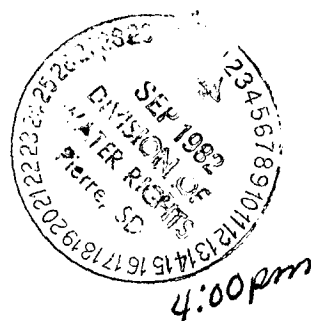
9/2/82.

Steve Westlund
(Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
OF LAW, Date
FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
DECISIONS adopted _____
ETC. Remarks _____



No. 1827-2
 Map No. 1577-2 Water Division No. 2 MISSOURI RIVER District
 Above for Office Use 10130105

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Department of Game, Fish & Parks Phone No. 773-3381
 Post Office Address Anderson Building, Pierre State South Dakota 57501
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Foster Bay Spawning and Imprint Station
4. Amount of water claimed (cubic feet per second) 1.34 cfs (600 gpm taken from surface water)
5. Source of water supply Missouri River
6. Location of point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 22, T 9N, R 25 E

County Stanley

7. Annual period or periods during which water is to be used Continuously
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Fish Hatchery
9. For irrigation use, Total number of acres to be irrigated _____

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Weekly Capital Times Journal, Pierre 57501
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Pump - all water will be returned to the source.

B. Works proposed to transport water to place of use.

Pipeline

C. Works proposed to apply water to beneficial use.

Fish tanks within cold storage building.

Estimated Total Cost \$ 42,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map. (see instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
)ss.
 County of Hughes)

I, Art R. Talsma the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Art R. TalsmaSubscribed and sworn to before me this 20th day of August, 1982Charles E. Keeler

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1827-2
 DEPARTMENT OF GAME, FISH AND PARKS ANDERSON BUILDING, PIERRE
 (Applicant) (Post Office Address)
 SOUTH DAKOTA 57501 With the following qualifications
 (State)

Date of first receipt of application September 2, 1982
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application _____, 19____
 Approved October 7, 1982, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1827-2

The Water Management Board hereby grants and issues this Water Right Permit No. 1827-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is September 2, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before April 7, 1985
3. The whole of said work is to be completed on or before October 7, 1987
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is October 7, 1991
5. The water appropriated shall be used for the purpose of a Fish Hatchery (FWP)

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 1.34 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for ~~beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied~~ to be used for a fish hatchery

for irrigation on or before October 7, 1991, said water to be used during the following described annual period: January 1 to December 31

Witness my hand this 12th day of October, 1982

THE WATER MANAGEMENT BOARD

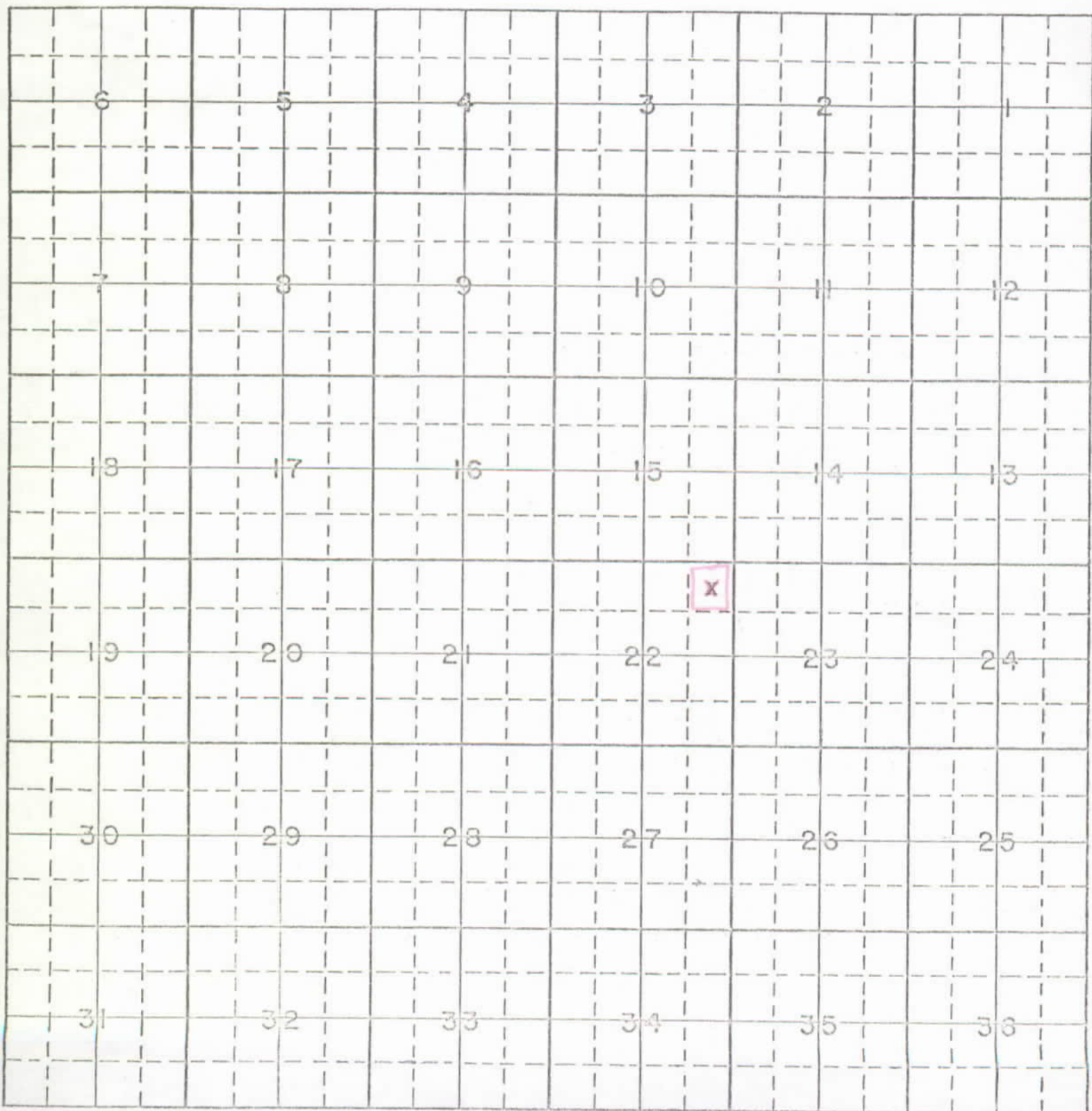
By: John Hatch
 Chief Engineer, Water Rights JOHN HATCH

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Foster Bay Fish & Wildlife Area Stanley, COUNTY, SOUTH DAKOTA
Location: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 22

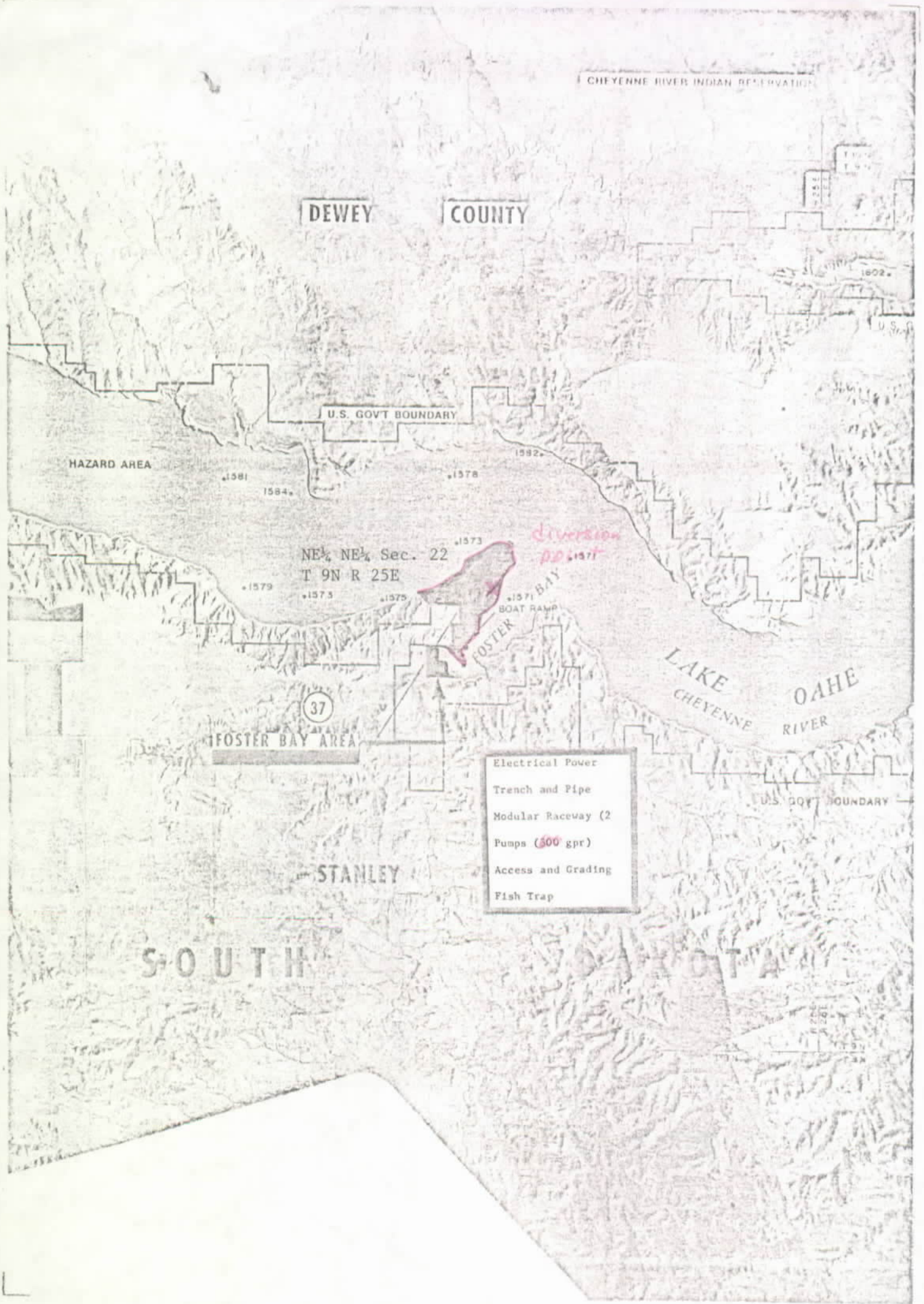
TOWNSHIP NO. 9N RANGE NO. 25E



H. Douglas Sr. Engr.

Scale = 1" = 4000'

Map # 1577-2 Appl # 1827-2



DEVELOPMENT PLAN

SCALE: 1" = 400'



NORTH

Project Name Lake Oahe
 Area Name Foster Bay Fish and Wildlife Area
 Reference Phase IV Development
See Exhibit 2-17 For Detailed Cost Estimate
Future State Management EXHIBIT NO. 3-35

map # 1577-2 Appl # 1827-2

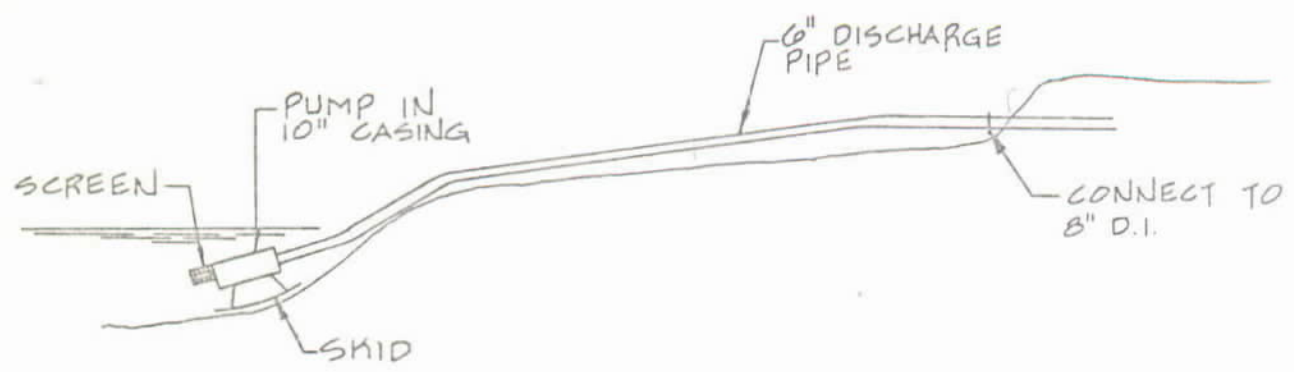
FOSTER BAY SPAWNING STATION

PROPOSED LAKE INTAKE

4.6.3 Alternatives for Water Pumping

It is assumed that a $2\frac{1}{2}$ exchange per hour water flow will be included in the main pumping system capacity, or 600 gpm. It would be preferable to have a duplex pump system such that each pump would provide about 60% of the total water demand establishing some back-up capability if one pump were to fail.

Alternative "A" - Skid mounted, slide-in pumps

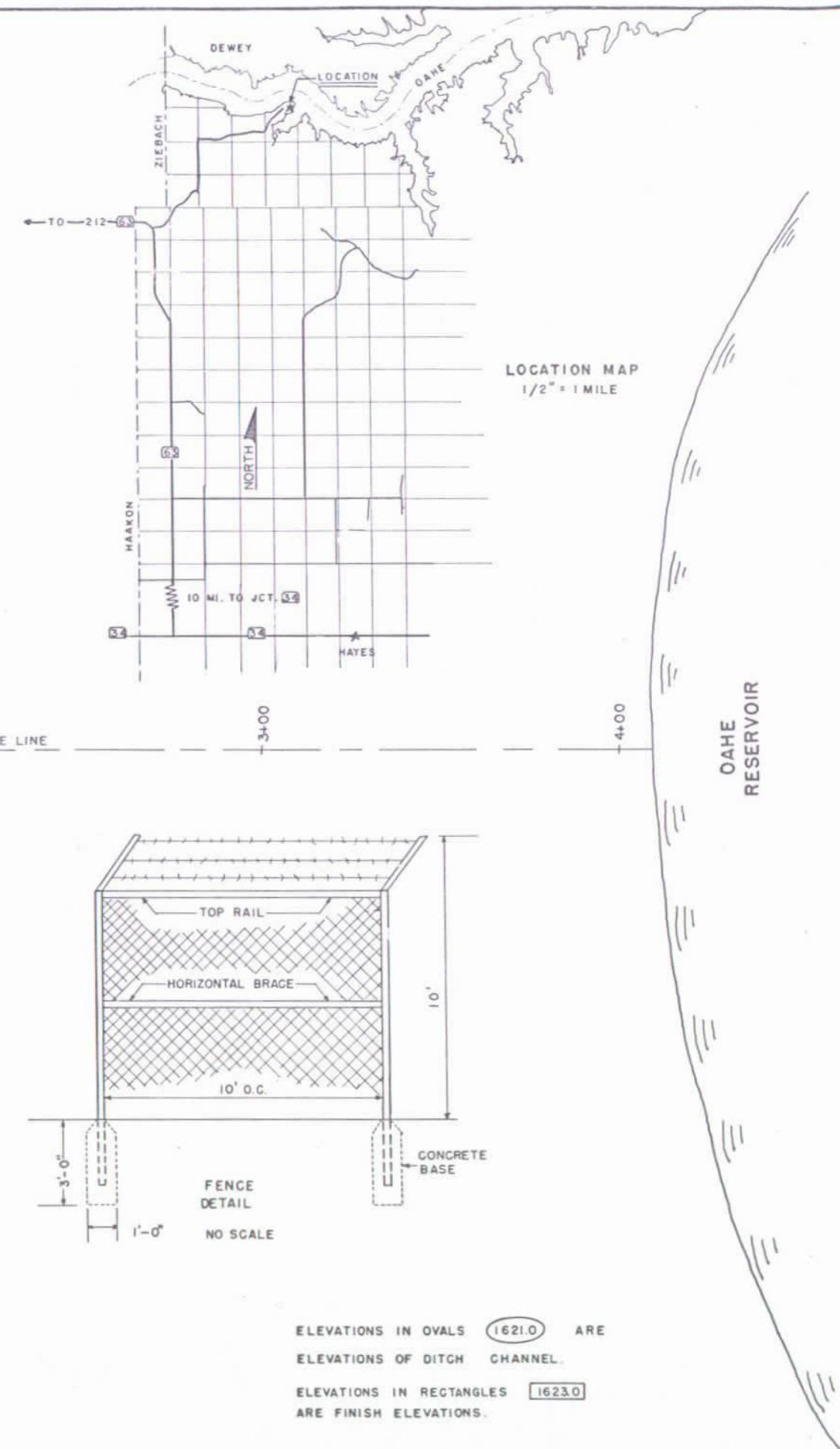
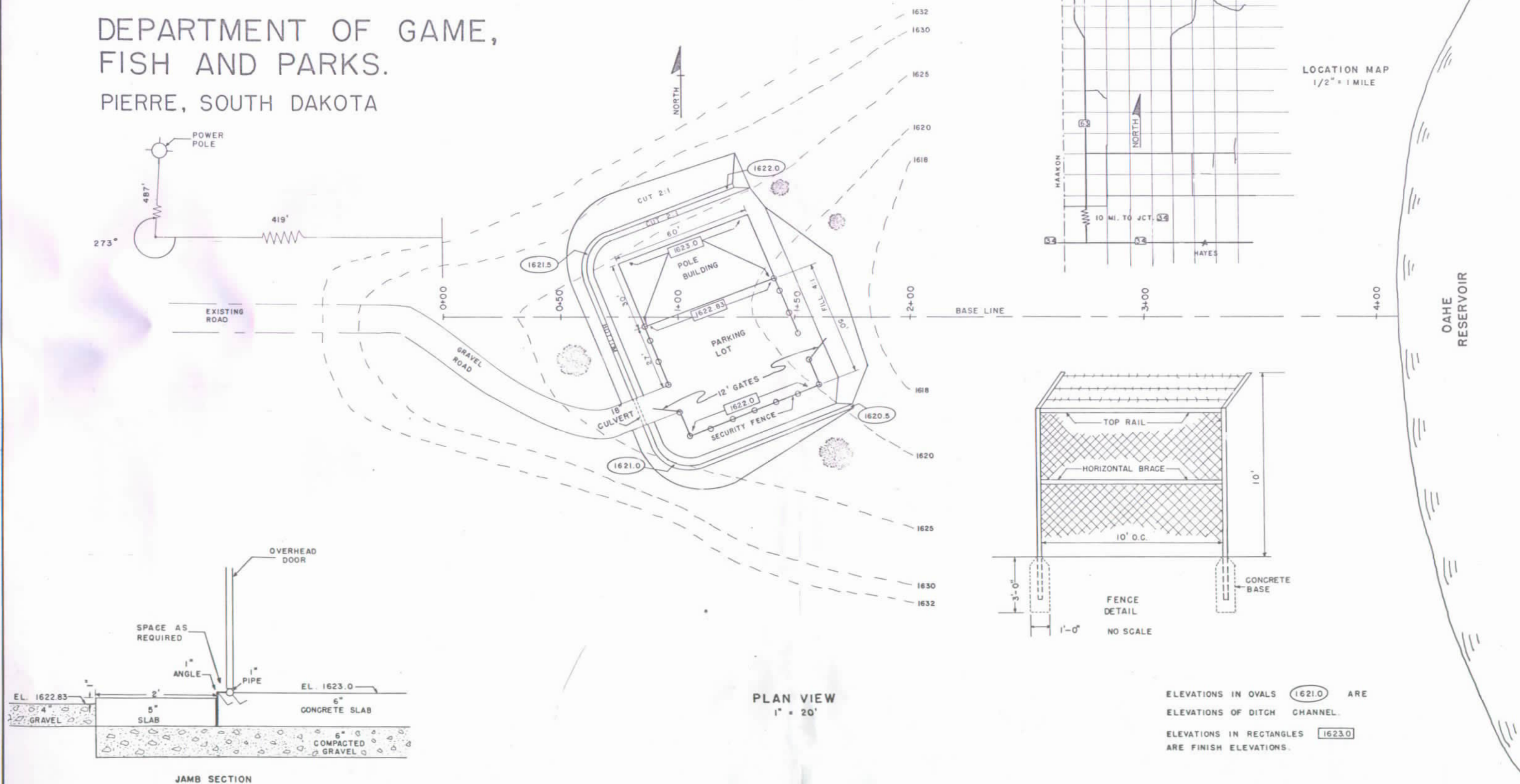


It is common practice in local irrigation applications to use submersible turbine pumps mounted horizontally on a skid that is pushed into the Reservoir in the pumping season and pulled out when not in use. Some have gone as far into the water as 300-400 feet, so the approximate 330 feet needed for this station is realistic,

FOSTER BAY POLE BUILDING

DEPARTMENT OF GAME,
FISH AND PARKS.

PIERRE, SOUTH DAKOTA



PLAN VIEW
1" = 20'

ELEVATIONS IN OVALS 1621.0 ARE
ELEVATIONS OF DITCH CHANNEL.
ELEVATIONS IN RECTANGLES 1623.0
ARE FINISH ELEVATIONS.

JAMB SECTION



US Army Corps
of Engineers
Omaha District

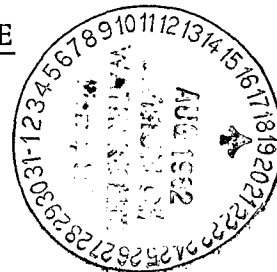
Public Notice

Reply to:
Permits Branch
PO Box 5
Omaha, NE 68101

Application No: G.P. 82-09
Date: 10 August 1982
Expiration Date: 24 August 1982

MROOP-N-1.
SD 2SB OXT 3 004801
South Dakota Department of Game,
Fish and Parks
Fisheries Structures
Missouri River Reservoirs

15 DAY NOTICE



NOTICE OF PERMIT PENDING

1. In accordance with Section 325.5(c) as published in the Federal Register, Volume 47, No. 141 of Thursday, 22 July 1982, the US Army Corps of Engineers, Omaha District, Omaha, Nebraska is proposing to issue a General Permit to the South Dakota Department of Game, Fish and Parks for construction of fisheries structures pursuant to Section 404 of the Clean Water Act and Section 10 of the River and Harbor Act.

2. This General Permit will apply to the construction of fisheries structures in the Missouri River Reservoirs within the State of South Dakota.

3. When performed under the limitations and conditions explained below, which a proposed activity must meet to receive consideration under this General Permit, they will have only minimal adverse cumulative effects on the environment. These limitations and considerations include:

a. That each artificial fisheries structure be constructed in accordance with one of the following methods:

(1) Imprint and spawning stations are permanent facilities which are located lakeside where fish concentrate for the purpose of spawning. Typical facilities would include a 30 x 60 ft. cold-storage building to house several modular raceways or tanks, a fishway and fish trap, electrical power for lights and permanent pumps, a well or lake water supply of approximately 400 to 1,000 g.p.m., a parking area for trucks and boat trailers, and security fencing (see drawing, sheet 1 of 8).

(2) Rearing subimpoundments would range in size from approximately 5 - 100 acres. They would be constructed with earthen dikes and generally would be shallow water impoundments of 4 - 8 ft. deep. Control structures (gates, planks, or monks) would be installed to drain the subimpoundments so small fish

could be released to the reservoirs. The source of water would be natural drainage or pumping from the reservoirs. Fill material would be borrowed from adjacent project lands and dikes or berms would be sloped at a minimum grade of 1 to 3 and riprapped (see drawing, sheet 2 of 8).

(3) Warmwater Pools would protect and improve warmwater springs which are now flowing into the reservoirs. Construction would generally include excavation and dike work to provide a pool of approximately 1-2 acres which would be open to the reservoir for fish passage. Excavation and fill would be approximately equal and all exposed berms would be sloped at a minimum slope of 1 to 3 and riprapped. Design objectives would be to provide a pool area approximately 15 ft. deep wherein the water temperature would be 5 - 10°F higher than ambient reservoir temperatures (see drawing, sheet 3 of 8).

(4) Fenced Natural Spawning Areas would protect existing riparian habitat associated with creeks and shallow water embayments. Fence construction would occur during low water periods using wood and steel posts and 4 or 5 strand barbed wire (see drawing, sheet 4 of 8).

(5) Aeration Systems would be added to existing or future subimpoundments to provide oxygen to the water during winter for fish survival. Aeration systems would be constructed of one of the following types: compressed air diffusion, aerohydraulic system, surface blower, or Helixor system (see drawing, sheets 5 and 6 of 8).

(6) Rough Fish Barriers may also be constructed. The rough fish barriers are constructed of 3/4-inch bars placed parallel to each other to allow approximately 1-inch space between each. This type structure allows for debris to pass through yet detain fish (see drawing, sheet 7 of 8).

(7) Artificial Reefs and Fishing Piers are constructed of rock and large gravel which would be located in mid to deep water zones for attraction and spawning of cold water species and in the littoral zone for warm water species. Rock and gravel would be placed on firm bottoms forming a reef approximately 300 x 30 x 10 ft. Reefs with an attached fishing pier would be joined to land and have a 10 ft. flat compacted top with sloped riprapped sides to allow fishing access. Reefs which would be submerged will be clearly marked to protect navigational interests (see drawing, sheet 8 of 8).

4. The South Dakota Department of Game, Fish and Parks will notify the District Engineer thirty days in advance of their intent to construct a specific project under the General Permit. This Notice of Intent will contain the following information:

- a. Application for permit (ENG Form 4345).
- b. A drawing or sketch showing details of the proposed project and a location map (with the project location clearly marked).
- c. Brief description of the work.
- d. A completed environmental questionnaire with photographs of the project site.

If the evaluation of the above information indicates compliance with the General Permit requirements, the South Dakota Department of Game, Fish and Parks will be so notified and construction may proceed.

5. Certification that the proposed activities associated with this general permit will not violate applicable water quality standards has been requested from the Regional Administrator, Environmental Protection Agency, Region VIII, Denver, Colorado.

6. The General Permit will be conditioned to include the following:

- a. That equipment for handling and conveying materials during construction shall be operated to prevent dumping or spilling the materials into the waterway except as authorized herein.

- b. That no petroleum products, chemicals, or other deleterious materials shall be allowed to enter or be disposed of in such a manner so that they could enter the water and that precautions be taken to prevent entry of these materials into the water.

- c. That fuel storage tanks above ground shall be diked or curbed or other suitable means provided to prevent the spread of liquids in case of leakage in tank or piping. Such diking or curbed area shall have a capacity at least equal in volume to that of the tank plus 10 percent.

- d. That the project area is kept clean and free from discarded material.

- e. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

- f. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

g. That this permit may be either modified, suspended, or revoked, in whole or in part, if the District Engineer determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest.

h. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

i. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

j. Meet the General Permit conditions and any other special conditions the District Engineer includes to protect the public interest.

7. Any interested parties or agencies entertaining objections to or desiring to express their views concerning the General Permit may do so by filing their comments, in writing, to the District Engineer, Omaha District, Corps of Engineers, PO Box 5, Omaha, Nebraska 68101, on or before 24 August 1982. A lack of response will be interpreted as meaning that there is no objection to the permit approval.

8. The decision whether to issue a General Permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, energy needs, safety, food production, navigation, recreation, water supply, water quality, and in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (40 C.F.R., Part 230). Issuance of the General Permit will not be considered unless it is found to be in the public interest and in compliance with the following: National Environmental Policy Act of 1969, Fish and Wildlife Coordination Act, the Historical and Archaeological Act, National Historic Preservation Act, Endangered Species Act, and the Clean Water Act of 1977.

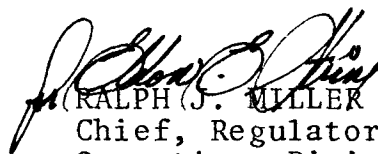
9. A preliminary determination has been made that neither singularly nor cumulatively would this project have a significant effect on the quality of the human environment within the meaning of the National Environmental Policy Act and, therefore, an Environmental Impact Statement will not be required. An Environmental Assessment is currently being prepared which will consider in its preparation, comments received in response to this public notice.

10. If adopted, the policies of the General Permit will be subject to reconsideration at anytime but at least every five (5) years.

11. A permit, if granted, will be under the provisions of Section 10 of the River and Harbor Act of 3 March 1899 (30 Stat. 1151; 33 USC 403) and Section 404 of the Clean Water Act.

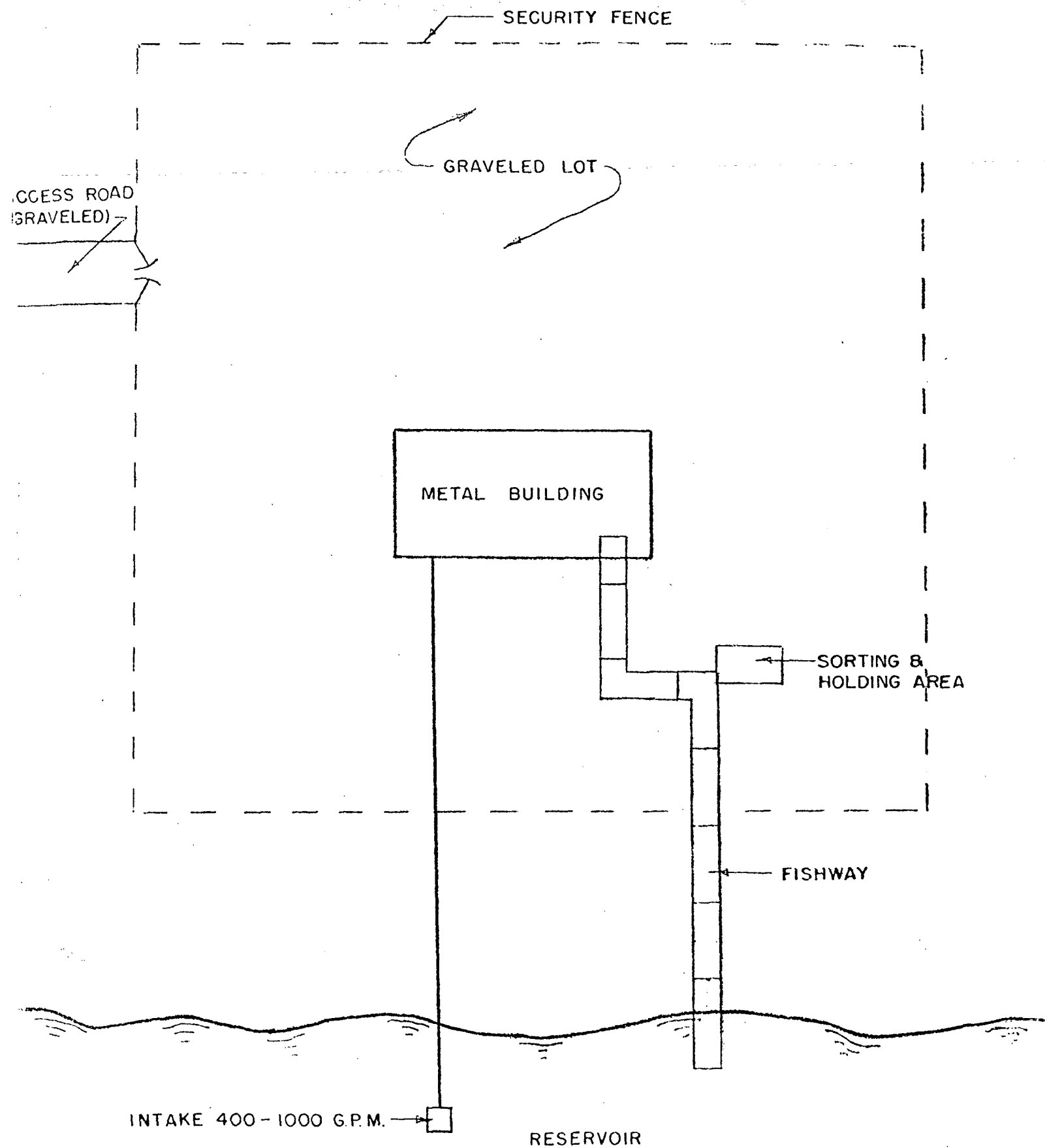
12. Drawings showing the location and extent of the work are attached to this notice.

Attachments
As stated



RALPH J. MILLER

Chief, Regulatory Functions Branch
Operations Division



SPAWNING AND IMPRINT STATION

NO SCALE

Sheet 1 of 8

Inspection of Water Permit No. 1827-2, Game, Fish & Parks

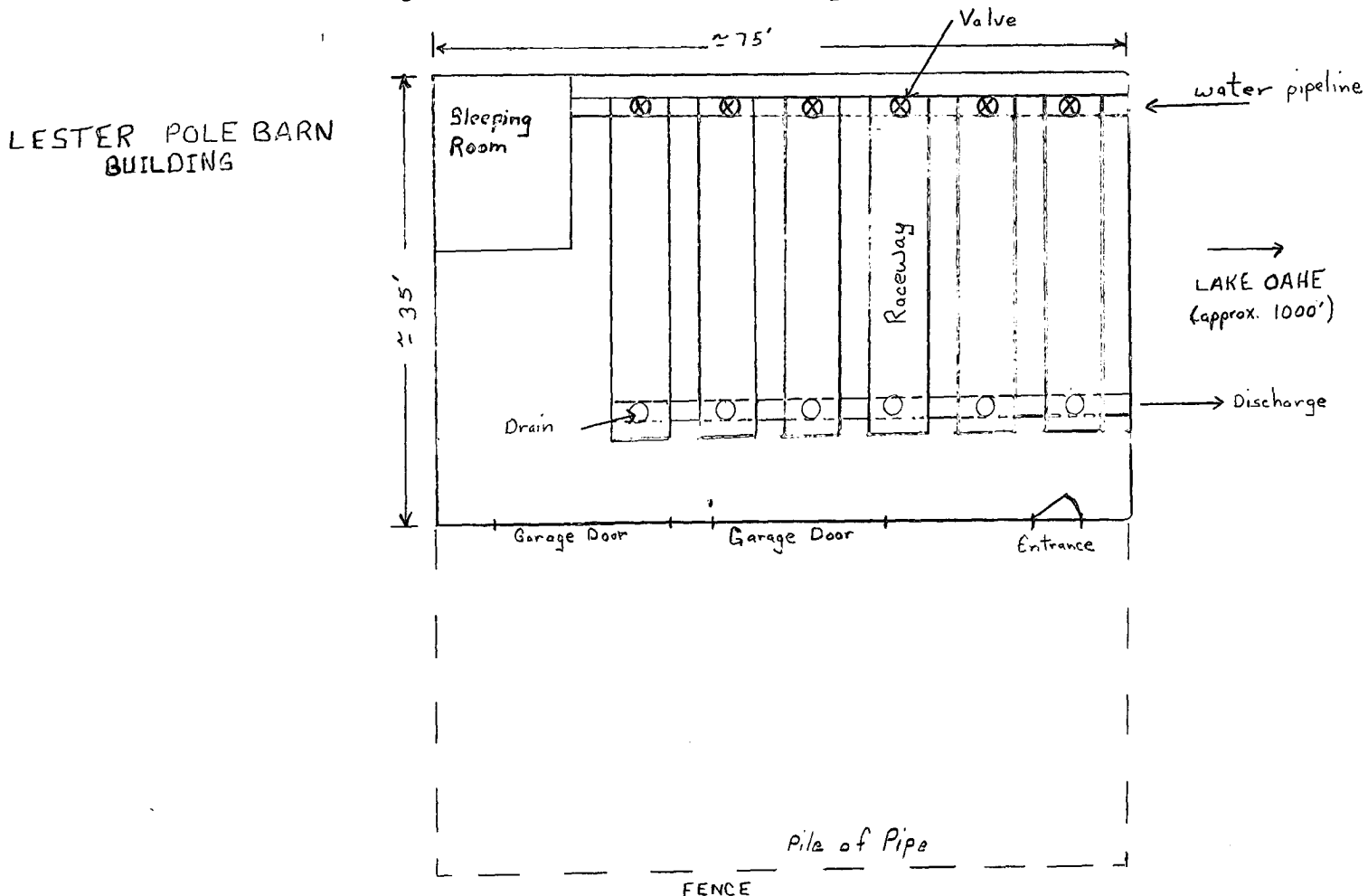
The Dept. of Game, Fish & Parks utilizes Water Permit No. 1827-2 for the Foster Bay Spawning and Imprint Station. This Permit was inspected on August 19, 1992.

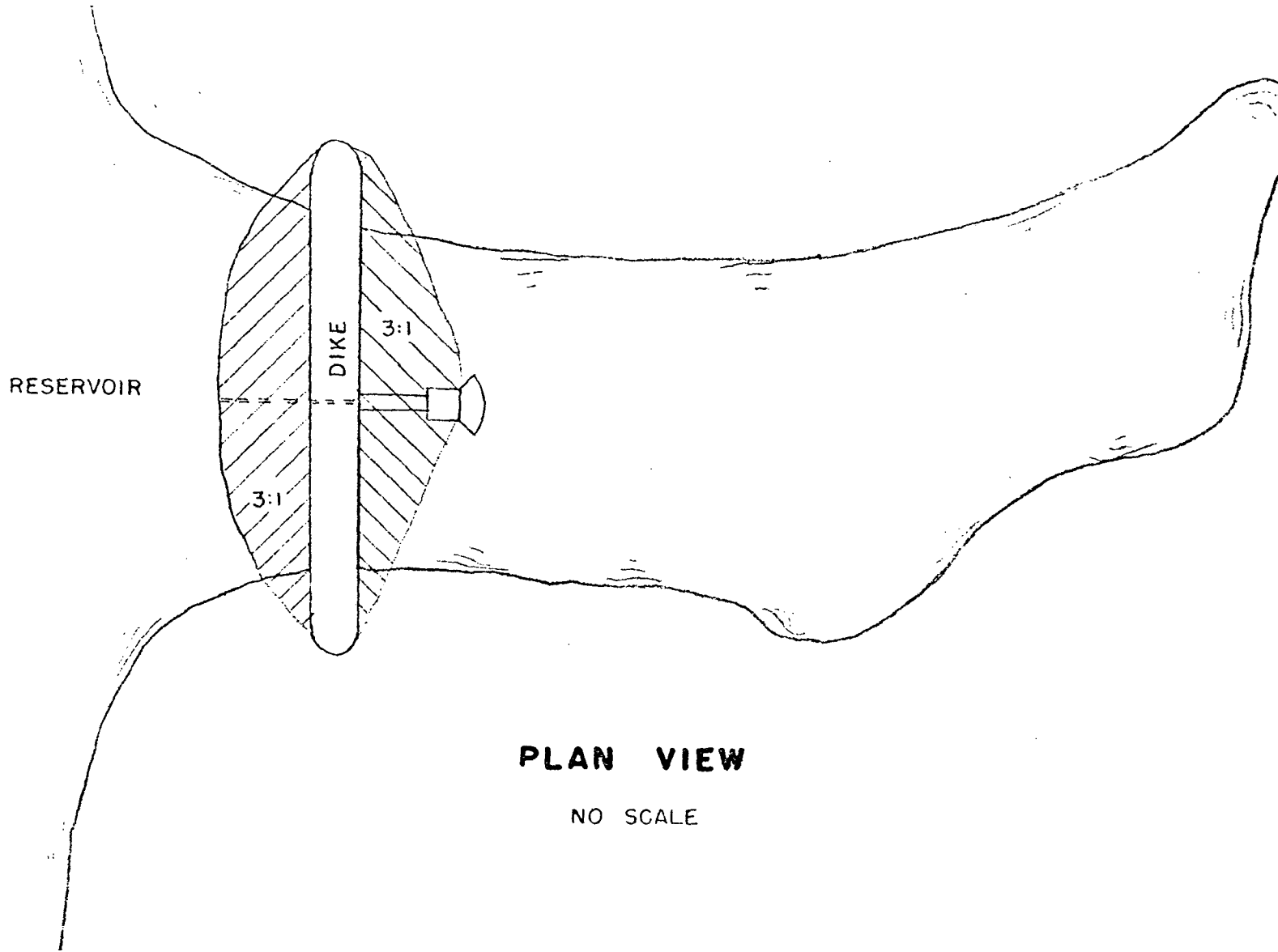
Lake Oahe, the water source, was extremely low at the time of the inspection. The building was approximately 1000' from the waters edge. The trailered motor and pump was located inside the building and the pipe was stacked inside the fenced enclosure. This spawning station is generally used in the spring and on a few occasions in the fall for imprinting.

Water is diverted from the lake via pipeline and into the building. Each of 6 raceway has a valve that can be opened to supply flow to the raceway. Once the raceway is full, water is discharged along a channel in the flooring and allowed to flow out of the building and back to the lake. The continuance flow in the raceway simulates a natural river 'moving water' condition.

The building also contained netting used either for netting spawning fish obtain their eggs. The nets may also be used for setting up areas along the lakes edge to hold fish.

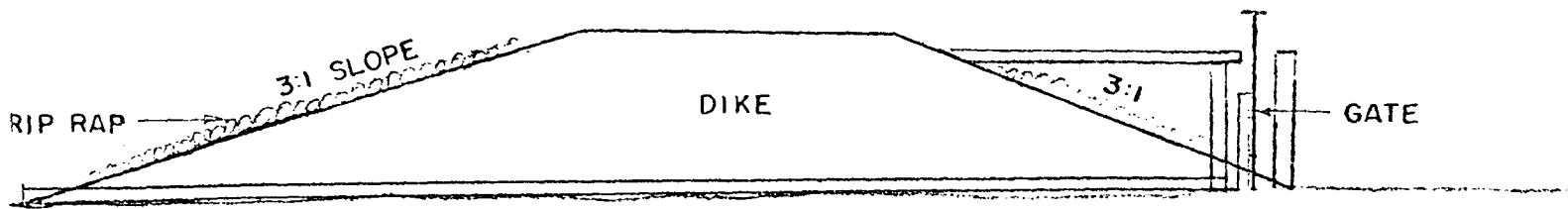
Below is a sketch diagram of the station set up





PLAN VIEW

NO SCALE

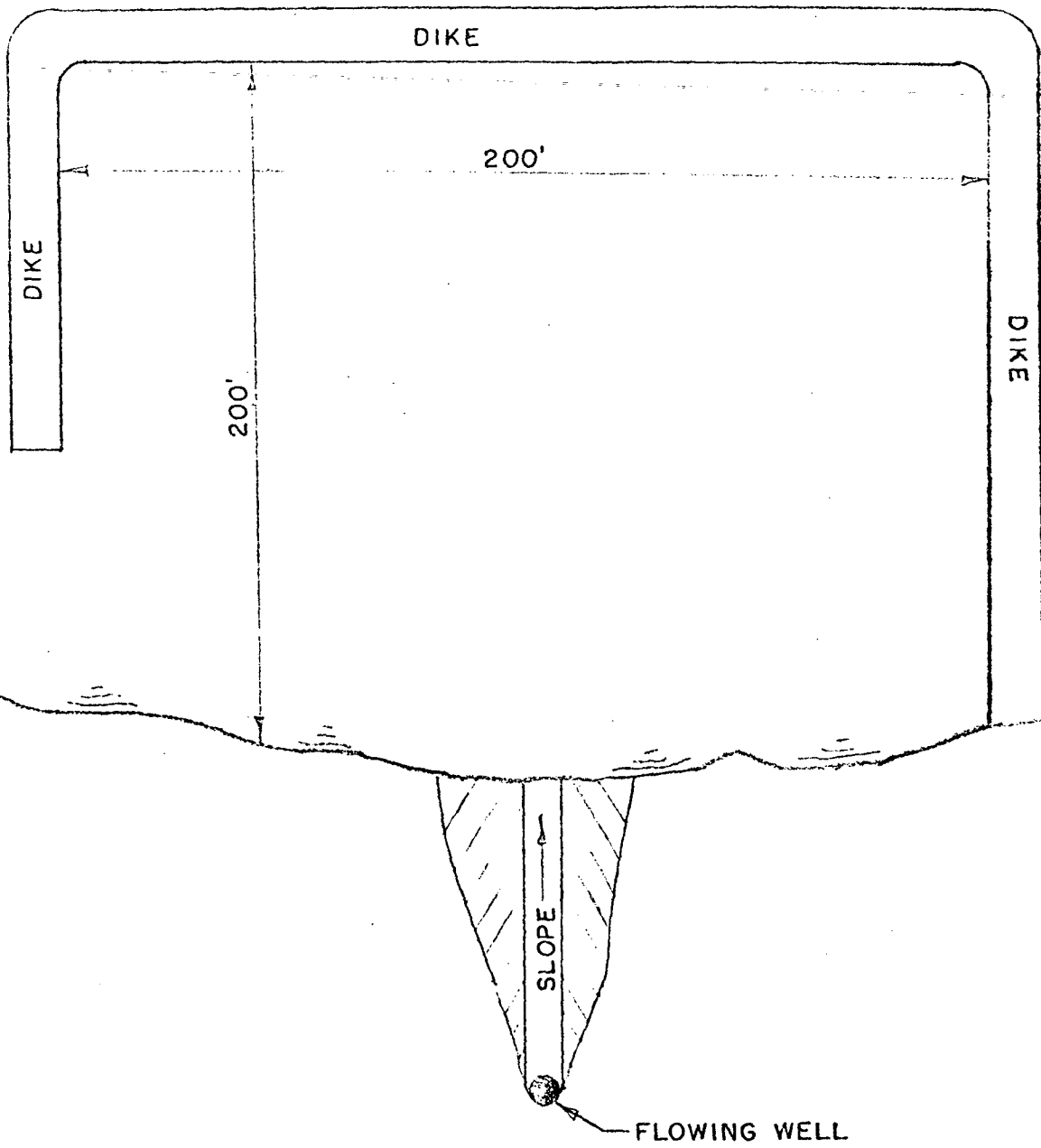


TYP. CROSS SECTION

NO SCALE

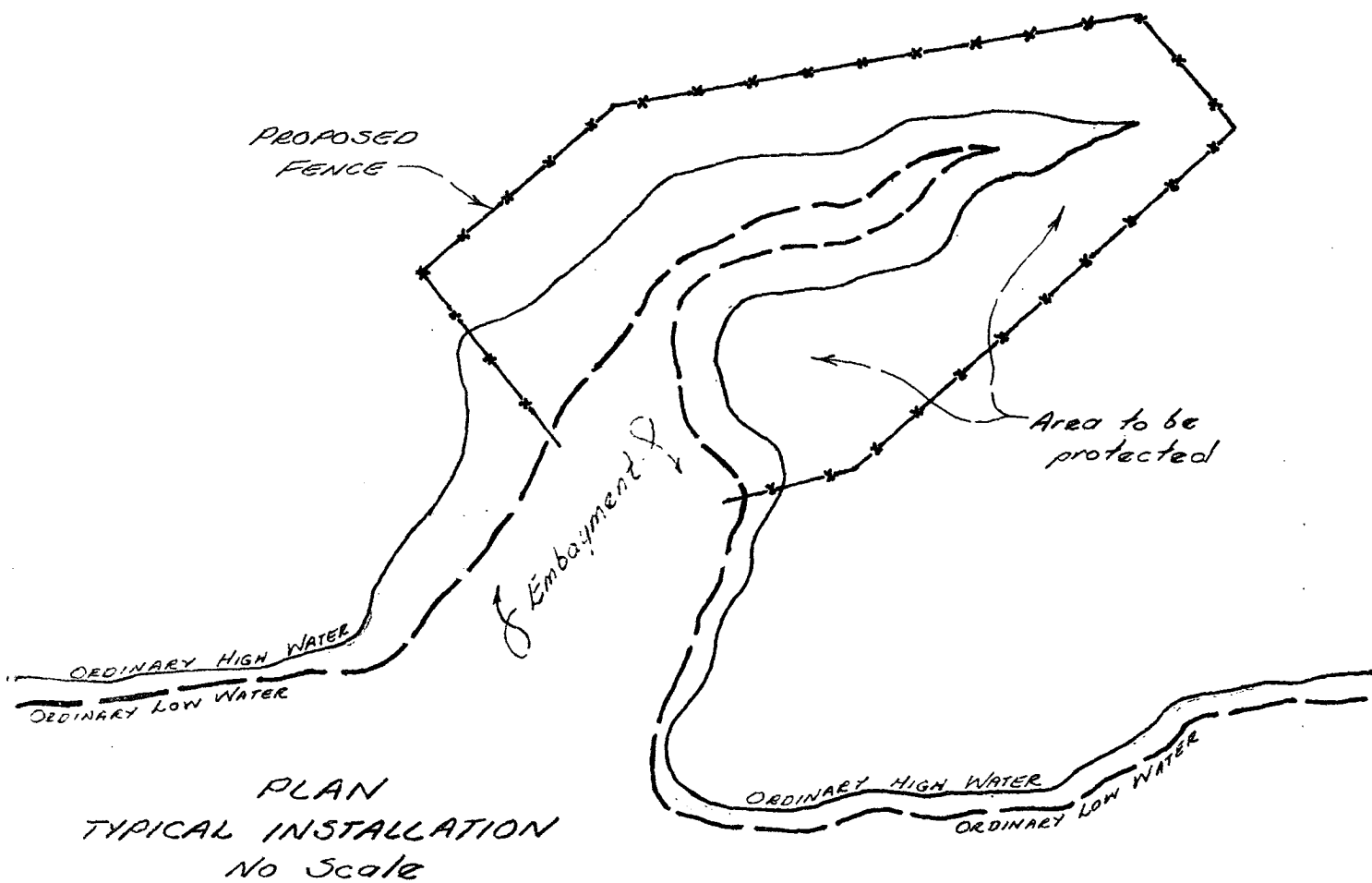
REARING SUBIMPOUNDMENTS

RESERVOIR

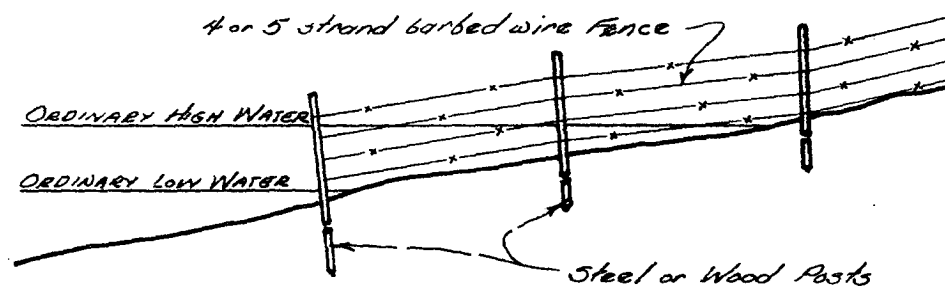


WARMWATER POOL

NO SCALE



FENCED NATURAL SPAWNING AREAS



NOTE:

DEPARTMENT OF THE ARMY PERMIT
IS ONLY REQUIRED FOR THAT PORTION
OF THE FENCE CONSTRUCTED BELOW
THE ORDINARY HIGH WATER LINE

Aeration-Destratification

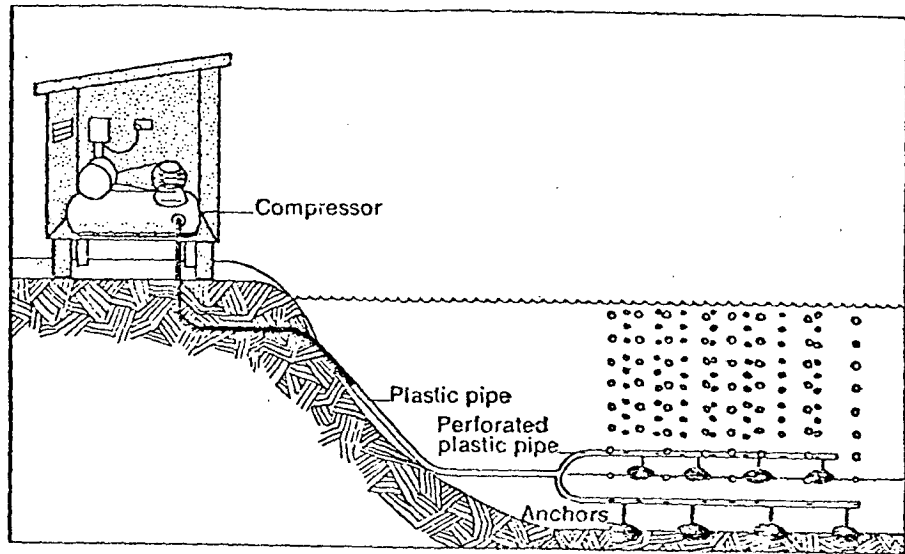


Exhibit 1. Compressed air diffusion system for aeration-destratification

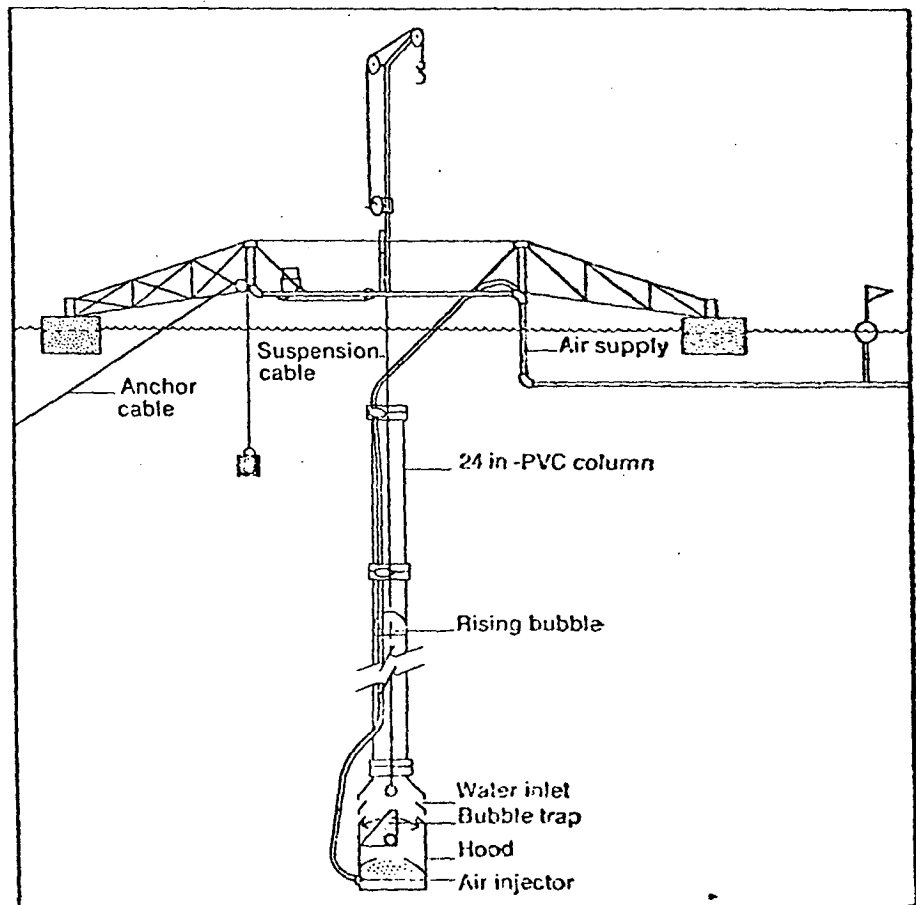
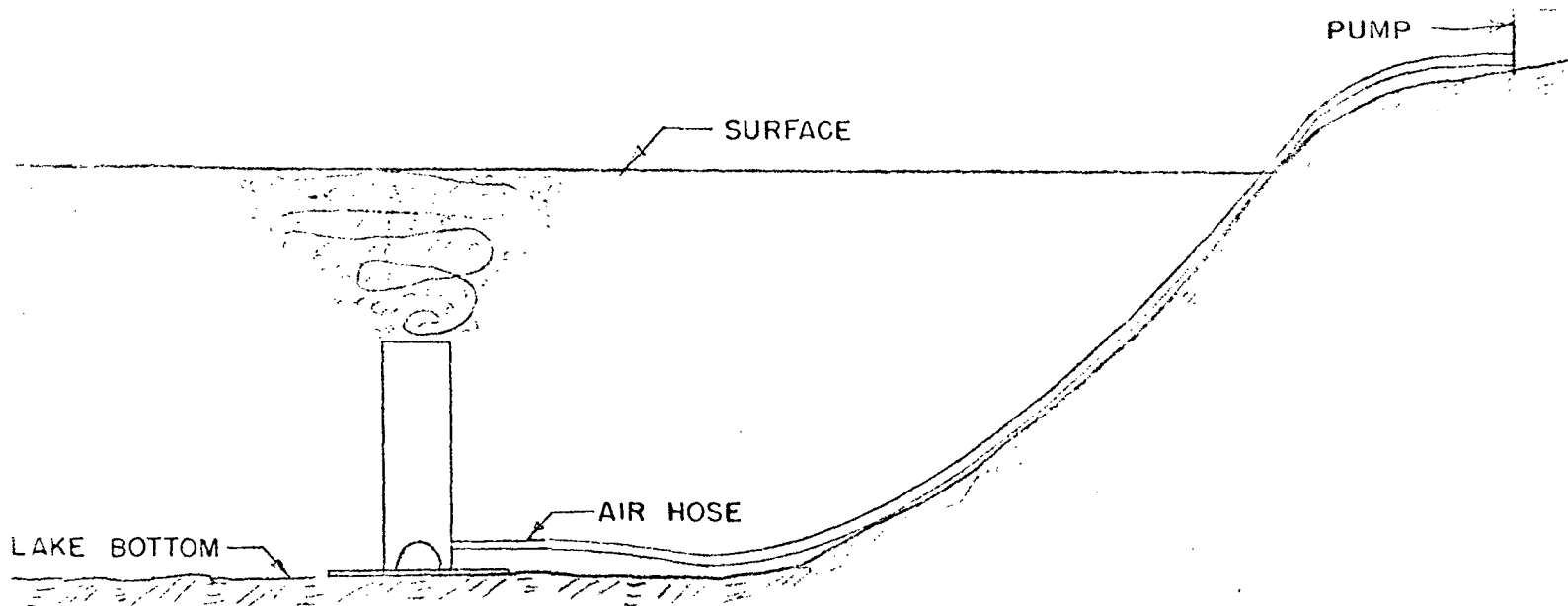
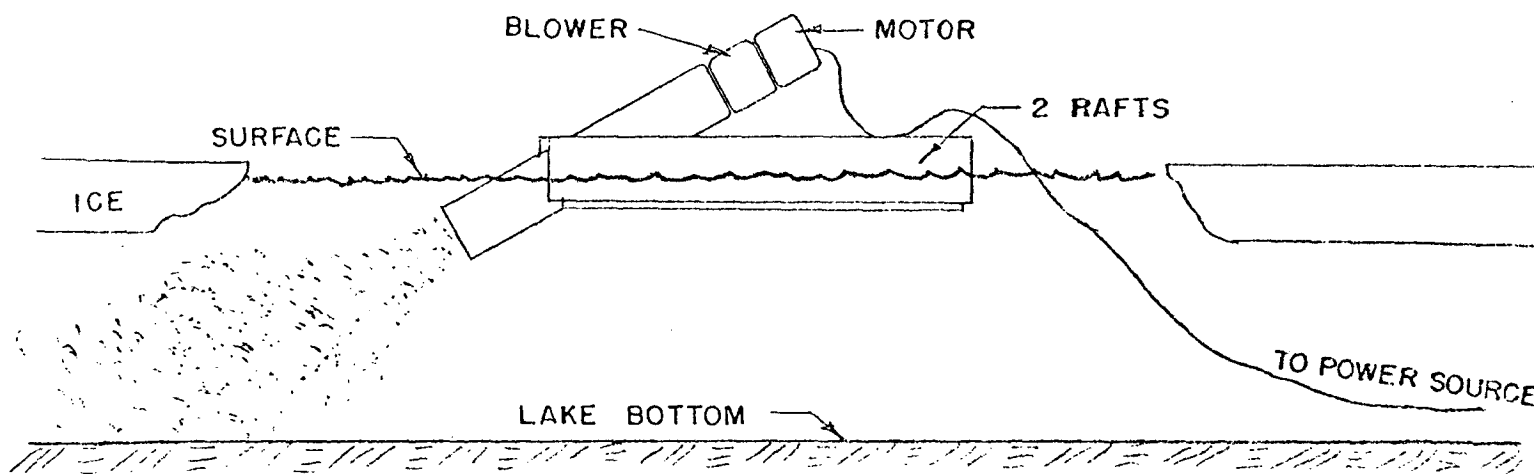


Exhibit 2. Aerohydraulic gun for aeration-destratification.



HELIXOR SYSTEM

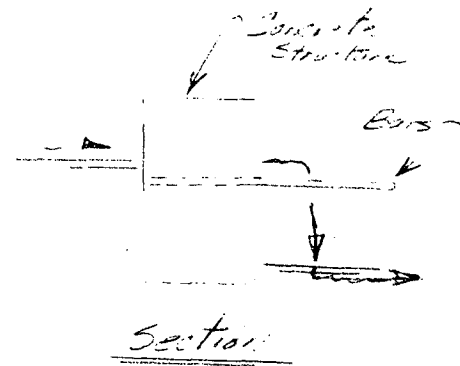
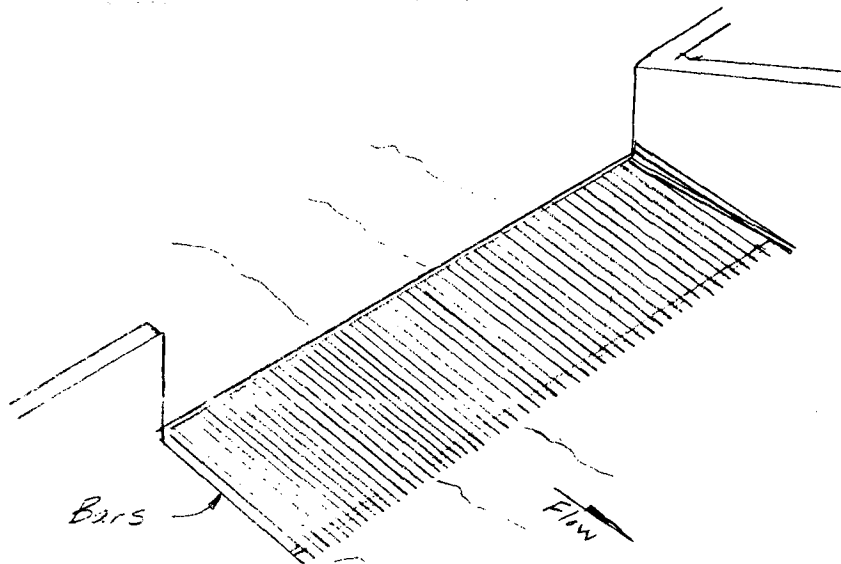
NO SCALE



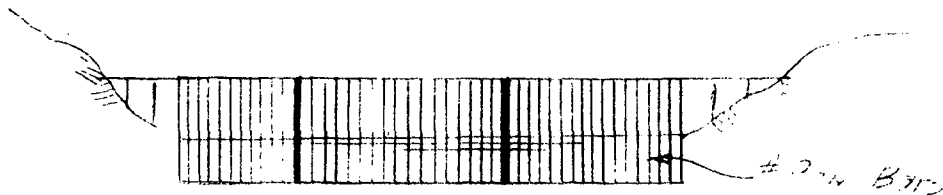
SURFACE BLOWER SYSTEM

NO SCALE

AERATION SYSTEMS



ROUGH FISH BARRIER
TYPICAL

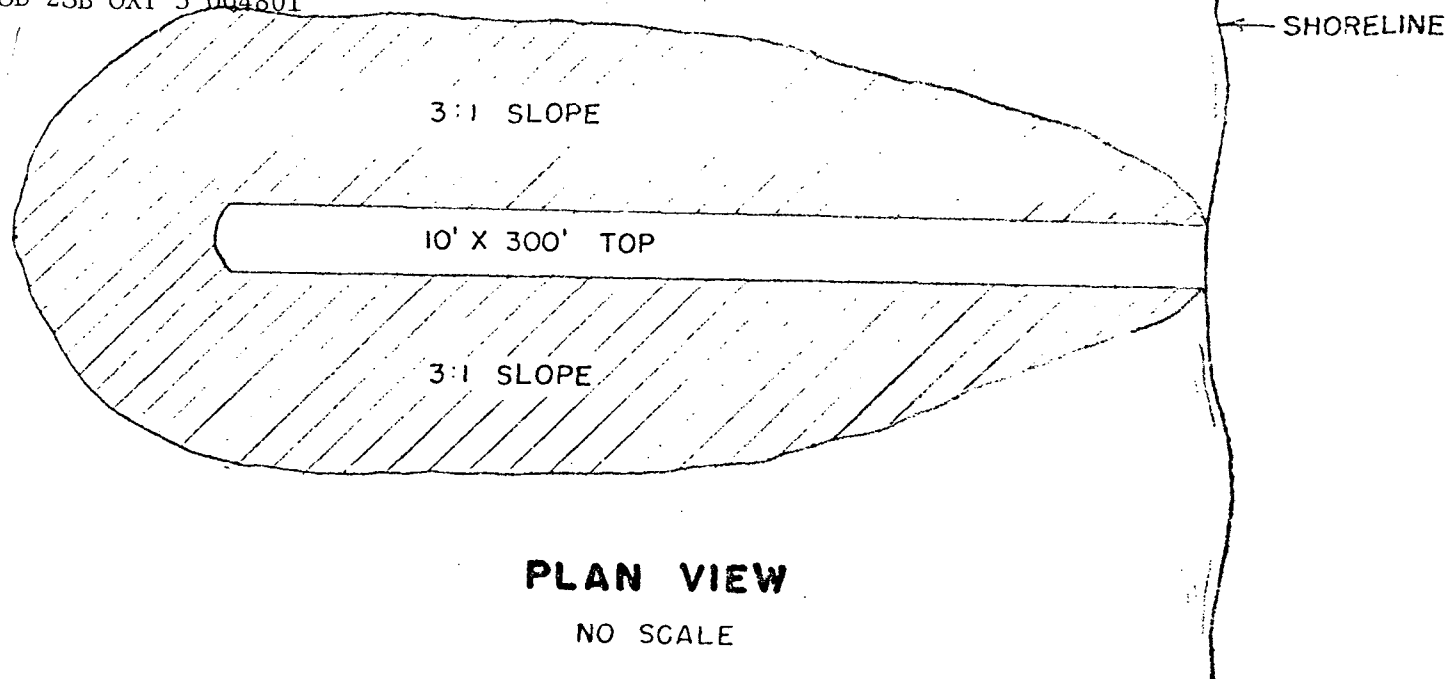


ROUGH FISH BARRIER
TYPICAL

ROUGH FISH BARRIER

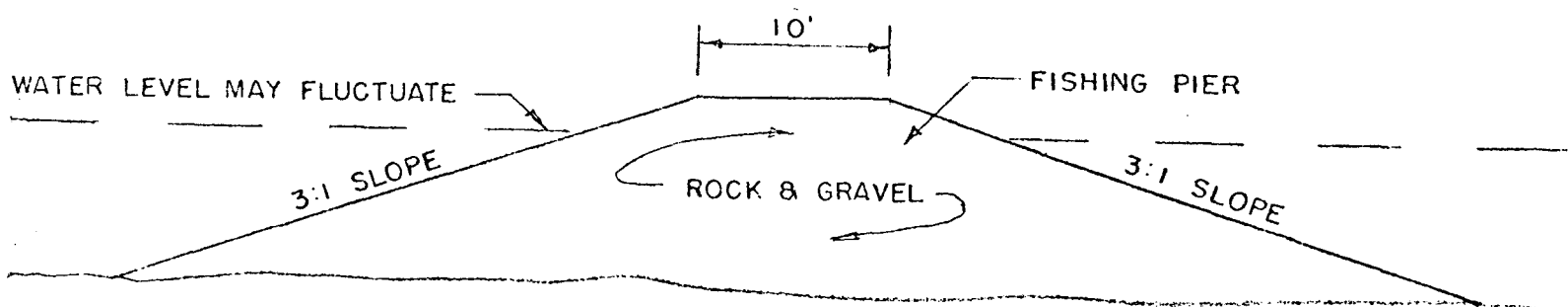
MAY BE ATTACHED TO-SHOELINE, AS SHOWN OR BE AN ISLAND

G.P. 82-10
SD 2SB OXT 3 004801



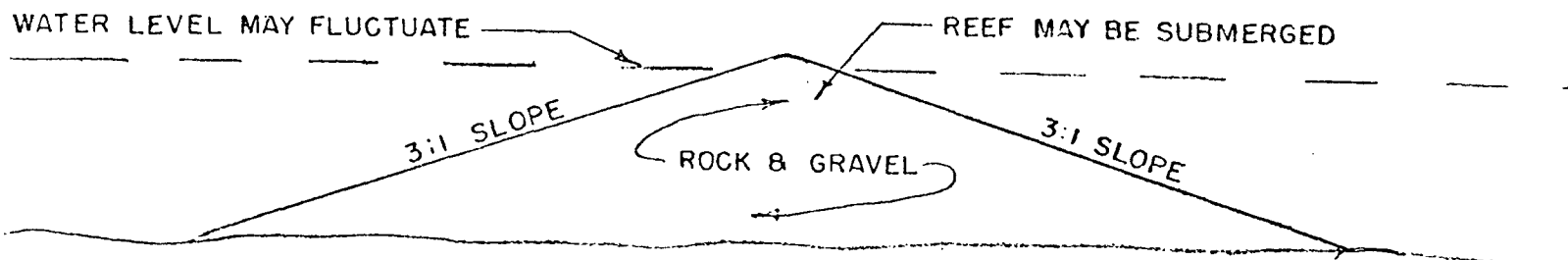
PLAN VIEW

NO SCALE



TYP. CROSS SECTIONS

NO SCALE



ARTIFICIAL REEFS AND FISHING PIERS

DEPARTMENT OF THE ARMY
U. S. ARMY ENGINEER DISTRICT, OMAHA
CORPS OF ENGINEERS
6014 U. S. POST OFFICE AND COURTHOUSE
OMAHA, NEBRASKA 68102

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300

MROOP-N-1

PIRI IC NOTICE

John Hatch, Chief Engineer
Division of Water Rights
Dept. of Water and Natural Resources
Foss Building
Pierre, SD 57501

Publish first publication, on or before September 17, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 6, 1982Notice is hereby given the Dept of Game, Fish & Parks whose post office

address is Anderson Bldg., Pierre, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41 (~~ground~~) ~~46-6-3 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-38; (transfer lands) 46-5-33 thru 46-5-35~~ and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, (~~future use~~) ~~74:02:01:23 thru 74:02:01:26 (10,000 AFA)~~ ~~74:02:07:01 thru 74:02:07:03~~, for a permit to appropriate for beneficial use

1.34 cubic feet of water per second of time from the Missouri River

through the Foster Bay Spawning & Imprint Station, the point (~~s~~) of diversion which is (~~are~~) to be located in the NE½ NE½

of Section 22, Twp. 9N, Range 25E. Said water to be used for purpose of providing ~~irrigation on portions of the following described land:~~

water supplies for a fish hatchery

This Application No. 1827-2 will be considered by the Water Management Board at Meeting Room #1, Knapp Building
Church & Illinois, Pierre SD upon the 7th day of October, 1982

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNr, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-806-2/82

No. 1827-2

No. 6006 2t T 9-16, 9-23
**NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER**
Pierre, South Dakota 57501
September 6, 1982

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hughes ss.

I, Bernard Jones hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the The Times

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

The Times of Hughes

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

9-16-82

9-23-82

Bernard Jones
(Signature)

Bkhp
(Title)

9/28/82
(Date Signed)

Cost of Printing:

72 lines .2799

Sept 11 lines

20 15

100

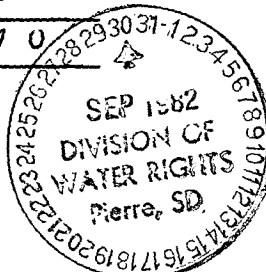
Notice is hereby given the
Dept. of Game, Fish & Parks
whose post office address is
Anderson Bldg., Pierre, South
Dakota, has made an applica-
tion in accordance with the
provisions of SDCL 46-1-1 thru
46-1-9; 46-1-12 thru 46-1-14;
46-2-9 thru 46-2-11, 46-2-13; 46-5-1
thru 46-5-8, 46-5-10 thru 46-5-22,
46-5-25, 46-5-41 and Board Rules
ARSD 74:02:01:01 thru
74:02:01:15, for a permit to
appropriate for beneficial use
1.34 cubic feet of water per
second of time from the Mis-
souri River through the Foster
Bay Spawning & Imprint Sta-
tion, the point of diversion
which is to be located in the
NE¼ NE¼ of Section 22, Twp.
9N, Range 25E. Said water to
be used for purpose of provid-
ing water supplies for a fish
hatchery.

This Application No. 1827-2
will be considered by the Water
Management Board at Meeting
Room No. 1, Kneip Building,
Church & Illinois, Pierre, SD
upon the 7th day of October,
1982 at 10 A.M. The Board is
authorized to make a determi-
nation on this application at the
hearing. All interested persons
may appear and be heard. Any
person who may be affected by
a Board decision who desires to
present evidence or cross-
examine witnesses according to
SDCL 1-26 may notify the
Board in writing prior to the
hearing or orally at the hear-
ing.

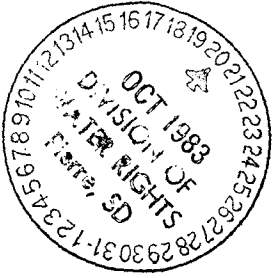
This hearing is an adversary
proceeding. Any person has the
right to be present or to be
represented by a lawyer. These
and other due process rights
will be forfeited if they are not
exercised at the hearing. Deci-
sions of the Board may be
appealed to the Circuit Court
and the State Supreme Court as
provided by law.

Any handicapped person
wishing to attend this hearing
can contact the Water Rights
Division, DWNR, Joe Foss
Building, Pierre, SD, prior to
the hearing date for assistance
to assure access to the hearing.

For the Water
Management Board
BETTY WESTLUND,
Water Rights Specialist



FOSTER BAY SPAWNING & IMPRINT STATION

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office Pierre, South DakotaDate October 19, 1983

TO: Water Rights
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 1827-2.

Water Right Permit No. 1827-2 states that the diversion system is to be constructed by October 7, 1987, and that the water is put to beneficial use by October 7, 1991.

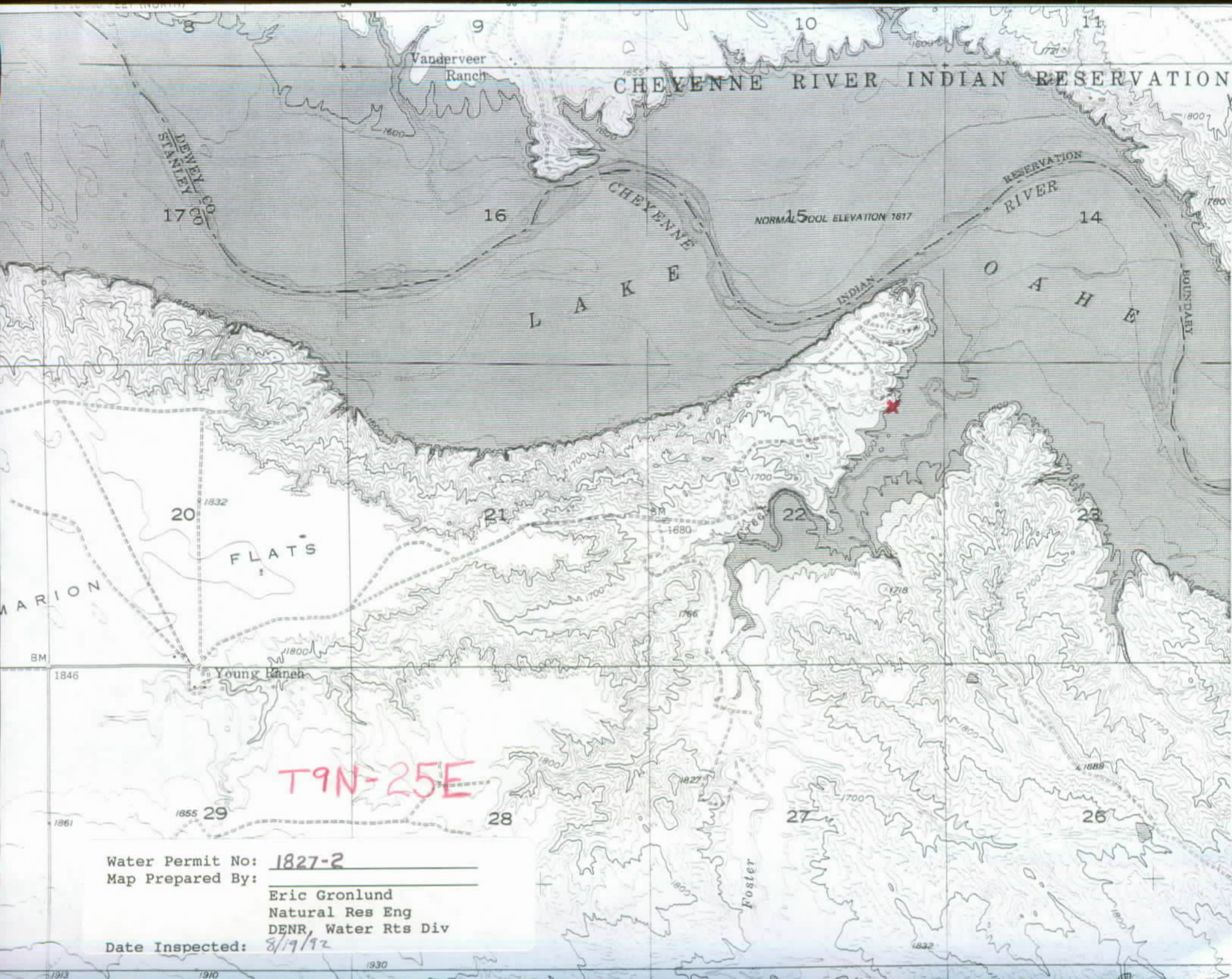
The diversion system was completed on April 1 83. Applying the water to beneficial use was completed on April 1 83.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Art R. Talsma
(Signature)

Art R. Talsma

DEPT. OF GAME, FISH & PARKS
WILDLIFE DIVISION
Sigurd Anderson Building
Pierre, South Dakota 57501



Water Permit No: 1827-2
Map Prepared By: _____

Eric Gronlund
Natural Res Eng
DENR, Water Rts Div

Date Inspected: 8/7/92

Permit No. 1827-2

Missouri River Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

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

I have this day made a thorough examination of the water use system constructed by the South Dakota Dept. of Game Fish & Parks of 523 E. Capitol Ave., Joe Foss Building, Pierre, SD 57501 holder of Permit No. 1827-2, bearing the priority of September 2, 1982 authorizing the diversion of 1.34 cu. ft. per second of the waters of the Missouri River for wildlife propagation purposes, in Stanley County at the Foster Bay Spawning and Imprint Station.

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

A. Works used to divert the water:

A 7.5 Hp Century pump motor with a Cornell pump mounted on wheels for mobility. The intake is 6" with a 4" impellor.

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

Approximately 1000 feet of 6" and 8" pipeline is laid between the station and the Lake Oahe intake.

C. Works used to apply water to beneficial use:

The Foster Bay Spawning and Imprint Station Building consists 6 - 3'wide, 4'deep and 27' long plastic raceways inwhich water is diverted into, the water is discharged back to the lake through a small channel. (See attached diagram)

The system is in the following condition Excellent. The point of diversion is located in the NE1/4 NE/14 Section 22, T9N, R25E. The works are capable of diverting and conveying to the place of use 1.34 cu. ft. per second of water which is to be used for the Foster Bay Spawning and Imprint Station. Water has been put to beneficial use to the maximum extent as follows: for providing water to the raceways at the fish station and the license should be issued for 1.34 cfs.

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: N/A Date 8/19/92


Eric Gronlund
Natural Resources Engineer
DENR, Water Rights Division

LICENSE FOR PERMIT NUMBER 1827-2

1. Legal location of wells: N/A
Dams and Structures Building located in the NE1/4 NE1/4 Section 22, T9N, R25E

2. Well Information: Well Drilling Firm N/A
Completion Report? Yes No No. of Wells Depth(s) feet
Casing a) diameter inches Screen a) type
b) length feet b) length feet
c) type Static Water Level feet

Pump used for drawing surface water to raceway building

a) make <u>Cornell</u>	Motor a) make <u>Century Pump Motor</u>
b) model <u>5W71/2 - 4</u>	b) model no. <u>FRS214T02</u>
serial No. <u>37954 - 7 3/4</u>	Part N. <u>332989-06</u>
c) size <u>4"</u>	c) horsepower rating <u>7.5 Hp</u>
d) capacity <u>600</u> GPM	d) serial code <u>X6</u>
e) turbine pump - no. of stages	Cat No. <u>P313</u>
f) operating PSI	Type CR - RPM 1750
	Volts 230
	Amps 32

3. Distribution lines from Lake Oahe to raceway building

a) size 16 - 30 foot sections of 8 inch pipe
15 - 30 foot sections of 6 inch pipe
b) type Gated
c) length approx. 1000 feet
d) intake a 10 screen intake on skids with approx. 70 feet of 6" pipe

NOTE: For Permits with additional wells or changes in well locations,
record the following for each well: pumping capacity, date
constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project

Yes No	Check Items
<u>N/A</u>	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>	2. Special qualifications to permit being abided by?
<u>X</u>	3. All structures, wells and lands on map?
<u>N/A</u>	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
<u>N/A</u>	5. Is chemigation used?
<u>N/A</u>	6. If yes, does equipment comply with chemigation rules?

REMARKS: See attached sheet for further explanation of system

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1827-2

(1) The South Dakota Department of Game, Fish & Parks of 523 E. Capitol, Pierre, SD 57501 made Application No. 1827-2, September 2, 1982 for a water permit to appropriate 1.34 cubic feet of water per second from the Missouri River, Stanley County, South Dakota for fish & wildlife propagation purposes. Permit No. 1827-2 with a priority date of September 2, 1982 was approved October 7, 1982 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before October 7, 1987 and for the application to beneficial use of said water on or before October 7, 1991.

(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 divert 1.34 cubic feet of water per second for beneficial use. The location of the diversion point is: located in the NE 1/4 NE 1/4, Section 22, T9N, R25E.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use at the Foster Bay Spawning and Imprint Station.

(4) Pursuant to Section 46-5-30.1 the South Dakota Department of Game, Fish & Parks of 523 E. Capitol Ave., Pierre, SD 57501 the holder(s) and/or owner(s) of Water Permit No. 1827-2 is issued a license to appropriate water, the right to use 1.34 cubic feet of water per second from the Missouri River with a priority date of September 2, 1982 from the location specified in (2) of this license. The water is provided to the raceways at the fish station (fish & wildlife propagation). This license is subject to any limitations or qualifications listed in Water Permit No. 1827-2 and subject to South Dakota State Law.

 NOV 23 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



NOV 23 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

1827-2

Dick Beringson
South Dakota Department of
Game Fish & Parks
523 E. Capitol
Pierre, SD 57501

Dear Mr. Beringson:

Enclosed is Water License No. 1827-2. Water License No. 1827-2 is the final document which completes the process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

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

enclosures