

Considered: _____

WATER PERMIT NO. 2131-2

Phone: 837-2456

Name of Applicant: Daniel Stout

Post Office Address: HCR-1, Box 26 Kadoka, SD 57543

Amount of Water Claimed: 0.54 Total Acres: 38

Source of Water Supply: White River

Water to be used for: irrigation County: Jackson

About 5 miles South of Kadoka

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C/.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received: 4/24/90 Fee: \$150.00 Remarks _____

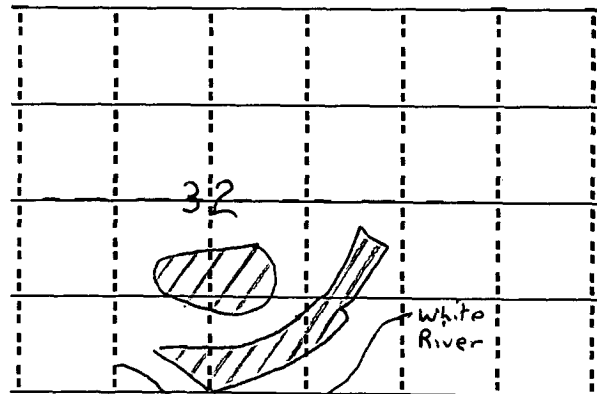
Corrected Application Received _____ Period of Annual Use April 1 - Oct. 31

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: 2000 ft. S & 3200 ft. W and a
point 800 ft. S & 265 ft. W of the NE corner of
Section 32-T3S-R22E

Land to be Irrigated: E1/2 NW1/4, W1/2 NE1/4
Section 32-T3S-R22E



Well Log: Driller: _____ Licensed YES _____ NO _____

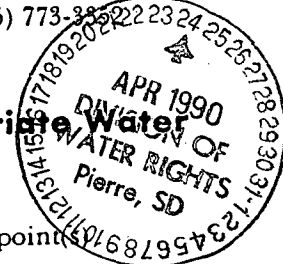
Depth of Well: _____ REMARKS _____

Type of Map: ASCS Aerial PREPARED BY: Tim Schaal Reviewed and the Number

Assigned on 5/21/90 By Eric Gronlund

(See instructions)

No. 2131-2 Hydrologic Unit 10140202
Basin White River
Newspaper Kadoka Press, Box 309 57543



Application For Soil/Water Compatibility Permit and Permit To Appropriately Use Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____

- Name of Applicant Daniel Stout Phone No. 837-2456
Post Office Address HCR-1, Box 26 Kadoka State SD 57543
(Street, RR or Box) (City) Zip Code
- Amount of water claimed (c.f.s.) 0.54 Total acres irrigated 38.0
- Source of Water supply White River
- Location of point of diversion Between a point located 2000 ft. south & 3200 ft. west (SE NW)
and a point located 800 ft. south & 265 ft. west (NE NE) of the NE corner of
Section 32-T3S-R22E County Jackson
- Counties where water will be used Jackson
- Annual period during which water is to be used April 1 thru October 31
- List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description		No. Acres Irr.
Sec. 32-T3S-R22E	NE NW	14
	SE NW	1
	SW NE	4
	NW NE	19

Land Description		No. Acres Irr.

Attach sheet if more space is needed

- Type of Irrigation: Gravity: X Towline: _____ Center Pivot: _____ Gun: _____ Other: _____ (Specify) _____
- Crops to be Irrigated: Corn, Alfalfa, Small Grain
- Give a description of proposed project. (Attach sheet if more-space is needed)

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

STATE OF SOUTH DAKOTA)
County of Jackson)ss

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

Signed Daniel Stout

Subscribed and sworn to before me this 14th day of March 1990

Janet Magelky
Notary Public

SOUTH DAKOTA
WATER PERMIT No. 2131-2 FOR IRRIGATION

Date of first receipt of application April 24, 1990.

Date Soil/Water Compatibility Permit received July 20, 1990.

The Water Management Board approved Water Permit Application No. 2131-2 on July 25, 1990 for Daniel Stout, HCR-1, Box 26, Kadoka, SD 57543 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. 2131-2 appropriates 0.54 cubic feet of water per second from the White River to irrigate 38 acres. The point of diversion is located between a point 2000 feet south and 3200 west and a point 800 feet south and 265 feet west of the NE corner of Section 32 T3S-R22E. The irrigated acreage is to be located in the E1/2 NW1/4, W1/2 NE1/4 of Section 32 T3S-R22E.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is July 20, 1990.
4. All construction is completed and the water has been put to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed. This permit does not authorize diversion of water from the White River after June 1st of each calendar year, nor at any time when the river flow is low, unless written orders have been issued by the Chief Engineer. Diversions under this permit shall be in accordance with any written orders issued by the Chief Engineer.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

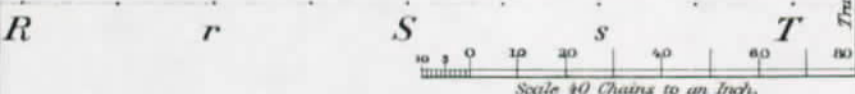
By: _____

John H. Tait
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

SEP 17 1990

(date)



$$C \qquad b \qquad B \qquad a \qquad A$$


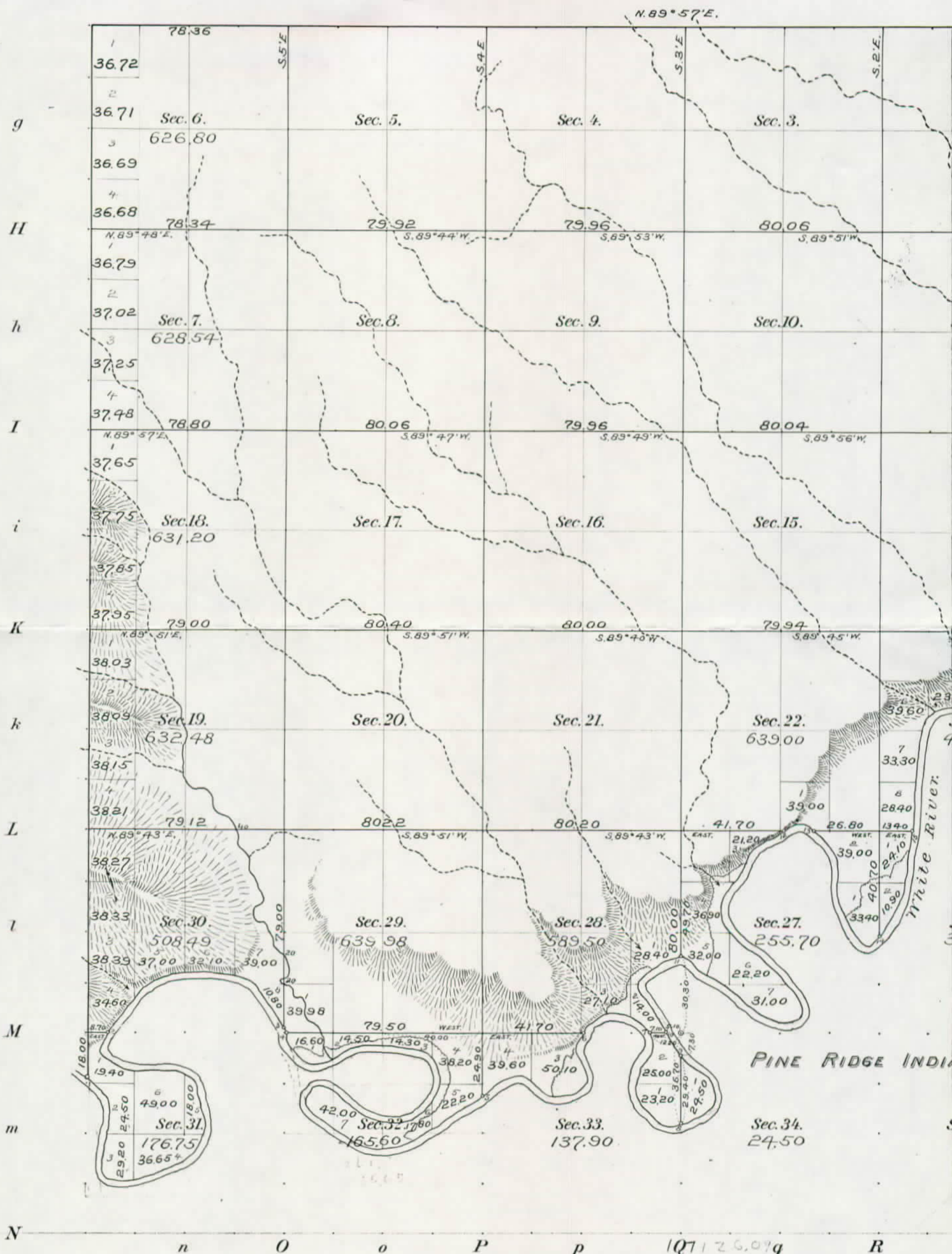
Surveyor General's Office,
Huron S.D. May 22, 1891.

Accepted:

dated May 28, 1891

Township N^o 3 SOUTH, Range N^o 22 EAST. BLACK HILL

G f F e E d D c C



Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys M. Ch. Lk.	When Surveyed	Mean Incl. E.
Township lines	Dell B. Piper	May 8, 1890		July 1890	
Subdivisions	" " "	" " "	47 13 00	Sept 18 22	14° 11' 20"
Meanders	" " "	" " "	16 48 76	" " "	" " "

The
Black
notes

Ha

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412214

Pierre, April 24, 19 90

RECEIVED OF Daniel Stout, HC 1 Box 26, Kadoka, SD 57543

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

Fee for Application for Permit No. <u>2131-2</u> to Appropriate Water, to construct works and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	150 00

By John Hatch
Chief Engineer

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4511

WR#

OWNERS NAME: STOUT, DANIEL OWNERS ADDRESS: BOX 1, Box 26
Kadoka, SD 57543

COUNTY LAND LOCATED IN: JACKSON PHONE: 837-2456

LEGAL DESCRIPTION:

☐ Well

☒ Surface

1. LOCATION White River

Depth _____

Legal Description	Acres	Legal Description	Acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 32-T3S-R22E	14		
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 32-T3S-R22E	1		
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 32-T3S-R22E	4		
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 32-T3S-R22E	19		

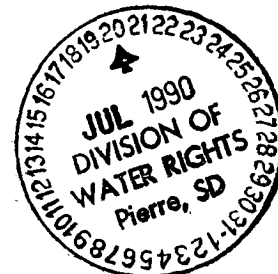
2. TYPE OF IRRIGATION: GRAVITY: XXX TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: _____ (Specify) _____

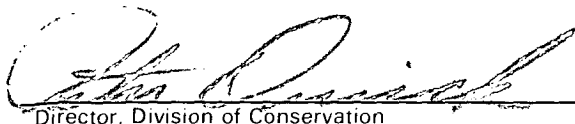
3. CROPS TO BE IRRIGATED: Corn, Alfalfa, Small Grain

WATER QUALITY:

4. WATER SAMPLE NUMBER: White River 7. ADJUSTED (SAR): _____
5. SALINITY (EC X 10⁶): _____ 8. PERCENT SODIUM: _____
6. SODIUM (SAR): _____

Requirements:




Director, Division of Conservation

July 18, 1990

Date

APPROVED

DISAPPROVED
XXX WAIVER

REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

Conversation or File Documentation

NAME OF PERSON OR FILE: Daniel Stout
ADDRESS: HCR-1, Box 26 Kadoka, SD 57543 COUNTY Jackson
DATE: February 9, 1990 TELEPHONE 837-2456
RE: Relicensing of Water Right No. 836-2

COMMENTS:

On May 22, 1989, I made an investigation of
Water Right No. 836-2. Mr. Daniel Stout
accompanied me on the inspection. Water Right
No. 836-2 should be relicensed for 33 acres
since a portion of the previously licensed land
is no longer irrigated. This land is overgrown
with trees and probably never was irrigated.
Mr. Stout has an additional 38 acres of land
that at times was irrigated under Water Right
No. 836-2. I told him he will need to get a
new permit for this acreage.

Water Right No. 836-2 should be Relicensed
for the following lands.

<u>Section 32-T35-R22E</u>	<u>SE NW - 7 Acres</u>
	<u>SW NE - 12</u>
	<u>SE NE - 7.5</u>
	<u>NE NE - 6.5</u>
	<u>Total = 33 Acres</u>

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: Tim Schaal

SOUTH Dakota Department of
Water & Natural Resources

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

February 9, 1990

Daniel Stout
HCR-1, Box 26
Kadoka, SD 57543

Dear Mr. Stout:

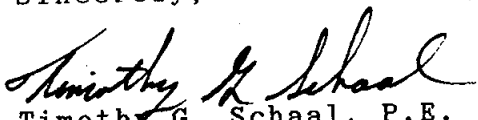
Enclosed are application forms to cover the 38 acres of land that is being irrigated out of the White River but is not covered under Water Right No 836-2. Water Right No. 836-2 will need to be relicensed for only the land being irrigated that was originally described on the permit.

New water perm. applications also involve a soil/water compatibility permit. I have talked to the Department of Agriculture and they said you will not need a water sample since they already have water quality information for the White River; however, a soils map will be necessary. I already have a map prepared showing the irrigated lands and the diversion points.

Please review the enclosed application forms, if everything looks correct sign them and have them notarized and return them to us along with the filing fee of \$150.00 and the soils information map.

If you have nay questions please let us know.

Sincerely,

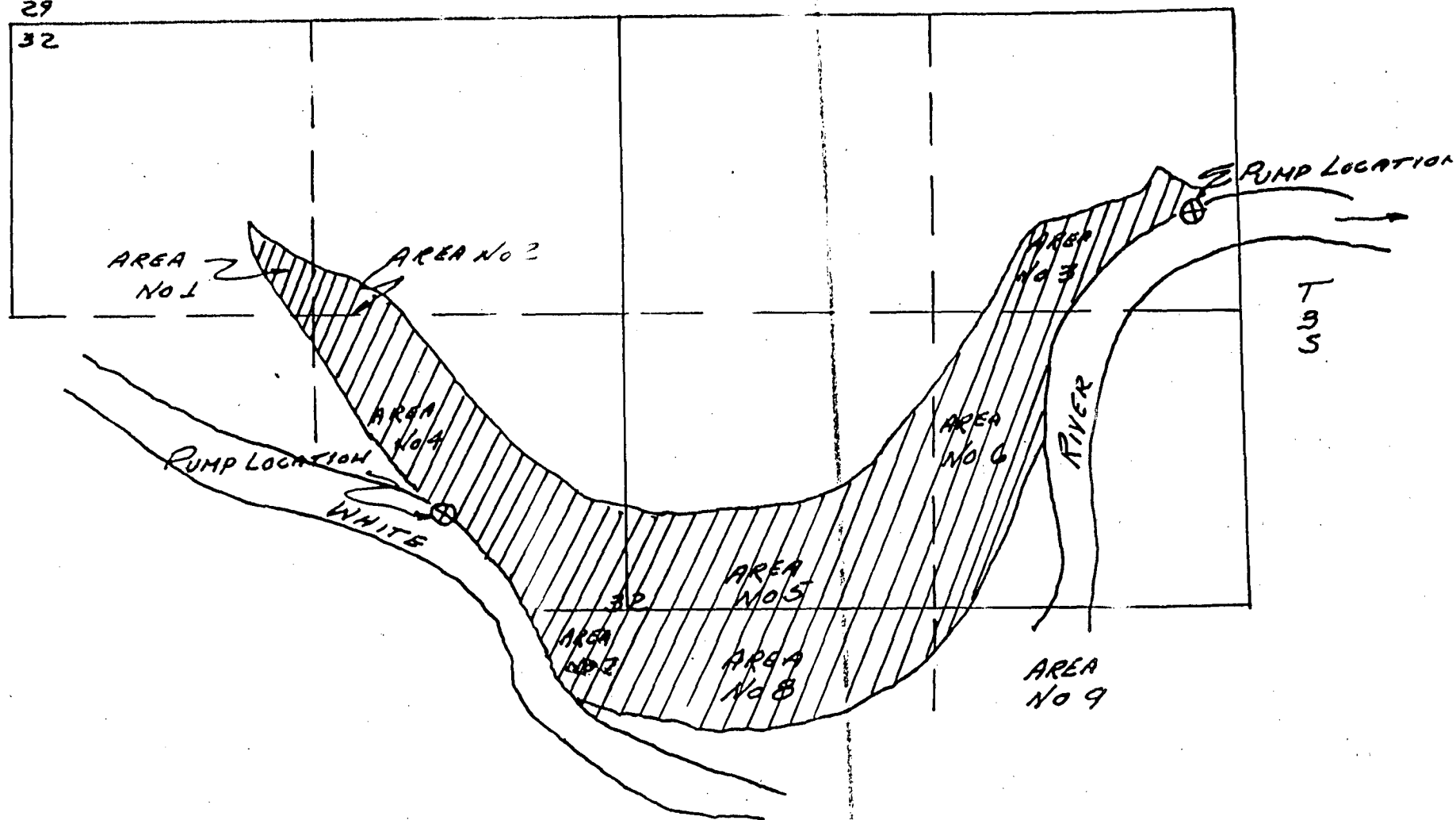

Timothy G. Schaal, P.E.
Water Resources Engineer
605 773-3352

AREA	SECTION	TWP	RANGE	ACRES
1	NW ⁴ NW ⁴ 32	3S	22E	1.5
2	NE ⁴ NW ⁴ 32	3S	22E	1.5
3	NE ⁴ NE ⁴ 32	3S	22E	6.0
4	SE ⁴ NW ⁴ 32	3S	22E	16.0
5	SW ⁴ NE ⁴ 32	3S	22E	15.0
6	SE ⁴ NE ⁴ 32	3S	22E	11.0
7	NE ⁴ SW ⁴ 32	3S	22E	4.0
8	NW ⁴ SE ⁴ 32	3S	22E	15.0
9	NE ⁴ SE ⁴ 32	3S	22E	1.0
			TOTAL	71.0

30 29
31 32

R22E

30 29
31 32



REPORT ON
APPLICATION NO. 2131-2
DANIEL STOUT
June 6, 1990

Water Permit Application No. 2131-2 proposes to appropriate 0.54 cubic feet per second (cfs) of water from the White River to irrigate 38 acres of land. The point of diversion is located between a point 2000 feet south and 3200 feet west and a point 800 feet south and 265 feet west of the NE corner of Section 32-T3S-R22E. The irrigated acreage is located in the E 1/2 NW 1/4, and the W 1/2 NE 1/4 of Section 32-T3S-R22E in Jackson County.

Discussion:

Mr. Stout has two other permits, Vested Right Claim No. 698-2 and Water Right No. 836-2. Water Right No. 836-2 was originally applied for with a diversion rate of 1.01 cfs to irrigate 71 acres. When an inspection was made for validation of Vested Right Claim No. 698-2, it was determined that the 38 acres applied for in this application were being irrigated. Mr. Stout thought they were covered under Water Right No. 836-2. The above mentioned 38 acres and 33 acres of the original 71 acres applied for were being irrigated by Water Right No. 836-2.

Mr. Stout was told that Water Right No. 836-2 will need to be relicensed for only the original 33 acres and a new application should be filed for the additional 38 acres.

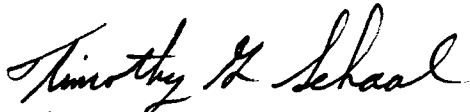
There are 111 existing Water Permits from the White River with a total diversion of 277.72 cfs appropriated to irrigate 19,300.53 acres.

There are two USGS gaging stations located on the White River. One station is located near Kadoka and is only 1/2 mile upstream of the diversion point for Application No. 2131-2 and the other station is located near Oacoma, approximately 120 miles downstream. The Kadoka station has 46 years of record with an average discharge of 273 cfs and a Median yearly mean of 260 cfs. The Oacoma station has 60 years of record with an average discharge of 532 cfs and a Median yearly mean of 450 cfs.

Conclusions:

1. Water Permit Application No. 2131-2 should be approved since unappropriated water is available and approval should not have an adverse affect on existing water rights or downstream domestic use.

2. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
3. The June 1 cutoff date for diversion from the White River and the water use questionnaire should be a qualification to this application.



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

Approved by:



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

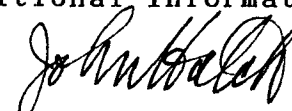
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2131-2, Daniel Stout

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 2131-2, Daniel Stout, HCR 1, Box 26, Kadoka SD.

The Chief Engineer is recommending APPROVAL of Application No. 2131-2 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. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed. This permit does not authorize diversion of water from the White River after June 1 of each calendar year, nor at any time when the river flow is low, unless written orders have been issued by the Chief Engineer. Diversions under this permit shall be in accordance with any written orders issued by the Chief Engineer.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
June 14, 1990



Department of Water & Natural Resources

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

June 18, 1990

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

Daniel Stout
HCR 1 Box 26
Kadoka, SD 57543-9601

Dear Mr. Stout:

Water Permit Application No. 2131-2 for irrigation 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 Kadoka Press printed at Kadoka SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also 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 Intent to Appropriate Water 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. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: Please refer to note on the Chief Engineer's Recommendation prior to authorizing publication of this notice of hearing.



Department of Water & Natural Resources

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

June 18, 1990

Kadoka Press
Box 309
Kadoka, SD 57543-0309

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 2131-2 to be published twice. Please publish the first notice on or before June 27, 1990 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 Daniel Stout, HCR 1 Box 26, Kadoka, SD 57543-9601.

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. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on or before June 27, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2131-2 to Appropriate Water

Notice is given that Daniel Stout, HCR 1 Box 26, Kadoka, SD 57543-9601 has filed an application for a water permit to appropriate 0.54 cubic feet of water per second from the White River to irrigate 38 acres. The point of diversion is located between a point 2000 feet south and 3200 feet west and a point 800 feet south and 265 feet west of the NE corner of Section 32-T3S-R22E. The irrigated acreage is to be located in the E1/2 NW1/4, W1/2 NE1/4 of Section 32-T3S-R22E.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2131-2 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. This application will be considered by the Water Management Board in Room 216, Joe Foss Bldg., 523 E Capitol, Pierre SD on July 25, 1990 at 10:00 am. 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.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 13, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. 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. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 13, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 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; 46-5-1 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Jackson)

I, Ronda K. Eckert

certify that the attached printed Notice was taken
from the Kadoka Press

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

of Kadoka, South Dakota

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

June 28, 1990

July 5, 1990

Ronda K. Eckert
(Signature)

Legal Advertising Manager
(Title)

July 12, 1990
(Date Signed)

Cost of Printing: \$38.10

NOTICE OF HEARING ON APPLICATION NO. 2131-2 TO APPROPRIATE WATER

Notice is given that Daniel Stout, HCR 1 Box 26, Kadoka, SD 57543-9601 has filed an application for a water permit to appropriate 0.54 cubic feet of water per second from the White River to irrigate 38 acres. The point of diversion is located between a point 2000 feet south and 3200 feet west and a point 800 feet south and 265 feet west of the NE corner of Section 32-T3S-R22E. The irrigated acreage is to be located in the E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 32-T3S-R22E.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2131-2 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. This application will be considered by the Water Management Board in Room 216, Joe Foss Bldg., 523 E. Capitol, Pierre, SD on July 25, 1990 at 10:00 a.m. 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.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 13, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

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This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-1-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.





Department of Water & Natural Resources

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

SEP 17 1990

Daniel Stout
HCR 1 Box 26
Kadoka SD 57543

Dear Mr. Stout:

Enclosed is Water Permit No. 2131-2 as approved by the Water Management Board authorizing construction of the water system and the application of water beneficial use, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch".

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

enclosures

Conversation or File Documentation

NAME OF PERSON OR FILE: Daniel Stout
ADDRESS: HCR-1 Box 26 Kadoka, SD 57543 COUNTY Jackson
DATE: June 25, 1990 TELEPHONE 837-2456
RE: _____

COMMENTS:

On May 22, 1989, I made an investigation of WR #836-2. Mr. Daniel Stout accompanied me on the inspection. It appears that an Error was made when Water Right No. 836-2 was originally licensed. Only 33 acres of the original 71 acres are being irrigated. It appears that the remaining acres have never been irrigated. Mr. Stout has an additional 38 acres of land located in the E $\frac{1}{2}$ NW $\frac{1}{4}$, and the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 32-T3S-R22E, which he thought were covered under Water Right No. 836-2. I told Mr. Stout we will need to relicense Water Right No. 836-2 for the 33 acres, and an additional application would be needed for the 38 acres.

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: Toni Schaal



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 28, 1995

836-2

2131-2

Thad Stout
Box 221
Kadoka, SD 57543

Dear Mr. Stout:

I am writing in response to the 1995 irrigation questionnaires submitted for Water Right No. 836-2 and Water Permit No. 2131-2. It is my understanding from reading the forms that Nos. 836-2 and 2131-2 should be transferred from Daniel Stout to your name.

Enclosed are two partially completed transfer forms for use in filing the ownership changes. Please review the forms, make any necessary corrections and then sign them in the presence of a notary public. Upon completion, please return the transfer forms to us with a required filing fee of \$2.50 each (total of \$5.00).

If you have any questions concerning completion of the forms, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

2131-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 25, 1996

No. 836-2

2131-2

Thad Stout
Box 221
Kadoka, SD 57543

Dear Mr. Stout:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right No. 836-2 and Water Permit No. 2131-2.

Our records now show you as the owner of Water Right No. 836-2 and Water Permit No. 2131-2.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl F. Frost".

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 2131-2

Date: Jan 18 - 96

I/We request that Water Permit No. 2131-2

formerly owned by: Daniel Stout

be transferred to: (name & address) Thad Stout, Box 221, Kadoka, SD 57543

Telephone No. (605) 837-2724

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

38 acres in the E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 32, T3S, R22E

I/We understand that the validity of Water Permit No. 2131-2 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 Jackson)

I/We Thad Stout 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.

Thad Stout
(Signed)

Subscribed and sworn to before me this 18th day of January, 1996.

Patricia A. Brewer
(Notary Public)
My Commission Expires 4-18-96

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

414763

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ January 22, 19 96

RECEIVED OF Penny Stout, PO Box 221, Kadoka, SD 57543

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. 2131-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

John Hatch /gmh



2131-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2000

NOTICE

TO: THAD STOUT, PO BOX 221, KADOKA, SD 57543 0221

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 836-2 & 2131-2. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 836-2 & 2131-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 1:30 pm, March 1, 2000 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 836-2 & 2131-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

SENDER: COMPLETE THIS SECTION

- ☒ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- ☒ Print your name and address on the reverse so that we can return the card to you.
- ☒ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

THAD STOUT
PO BOX 221
KADOKA SD 57543 0221

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

1-18-00

C. Signature

X ☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

Z 227 670 226



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2000

836-2
2131-2

Thad Stout
PO Box 221
Kadoka, SD 57543-0221

Dear Mr. Stout:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 836-2 and 2131-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 9, 2003

698-2
836-2
2131-2

Thad Stout
PO Box 221
Kadoka SD 57543-0221

Dear Mr. Stout:

On September 24, 2003 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2131-2, was completed by Tim Schaal, a staff engineer with our program. The final water right document, the water license, can now be issued. The applicable portions of No. 836-2 will be incorporated into NO. 2131-2.

State law require that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license.

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

Also, enclosed is a *Notice of Transfer of Ownership* form for Water Right No. 698-2 (dam and spreader system). The form needs to be completed, signed by the owner, and returned with a \$2.50 filing fee. The check or money order for the fees (\$52.50) should be made payable to the "Water Rights Program".

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak
Water Rights Program

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date October 17, 2003

RECEIVED OF Thad Stout, PO Box 221, Kadoka SD 57543-0221

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	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2131-2</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No.

000895

By

Darlene White

Chief Engineer

gm

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Thad Stout

ADDRESS: PO Box 221, Kadoka, SD 57543-0221

COUNTY: Jackson

DATE: October 2, 2002

TELEPHONE: (605) 837-2724

RE: Incorporation of Water Right No. 836-2 & Permit No. 2131-2

On September 24, 2003, I stopped and talked to Thad Stout about this. On May 22, 1989, I made an investigation of Water Right No. 836-2 (see file docs). Only 33 acres of the original 71 acres authorized by Water Right No. 836-2 were being irrigated. However, an additional 38 acres were being irrigated and Water Permit Application No. 2131-2 was filed to cover those acres. Now, Water Permit No. 2132-2 can be licensed and the 33 acres irrigated under Water Right No. 836-3 can be incorporated into 2131-2.

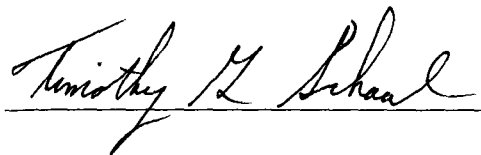
The following lands in Section 32-T3S-R22E are being irrigated.

Water Right No. 836-2
(Priority Date--June 15, 1964)

SE ¼ NW ¼ -	7 acres
SW ¼ NE ¼ -	12
SE ¼ NE ¼ -	7.5
NE ¼ NE ¼ -	<u>6.5</u>
	33 acres

Water Permit No. 2131-2
(Priority Date—July 20, 1990)

NE ¼ NW ¼ -	14 acres
SE ¼ NW ¼ -	1
SW ¼ NE ¼ -	4
NW ¼ NE ¼ -	<u>19</u>
	38 acres



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

Permit No. 2131-2 & 836-2
White 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, **September 24, 2003**, made a thorough examination of the water use system constructed by **Thad Stout** of **PO Box 221, Kadoka, SD 57543-0221** holder of Permit No. **2131-2**, bearing the priority of **July 20, 1990** authorizing the diversion of **0.54** cu. ft. per second and Permit No. **836-2**, bearing the priority of **June 15, 1964** authorizing the diversion of **1.01** cu. ft. per second of the waters of **White River** for **irrigation** purposes, in **Jackson** County.

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

A. Works used to divert the water:

8 inch Crisafulli pump, Serial No. 6246 with John Deere 4430 tractor

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

Aluminum pipe

C. Works used to apply water to beneficial use:

Gated aluminum pipe

The system is in the following condition **good**. The point of diversion is located **between a point 2000 feet south & 3200 feet west (SE ¼ NW ¼) and a point 800 feet south & 265 feet west (NE ¼ NE ¼) of the NE corner of Section 32-T3S-R22E .**

The works are capable of diverting and conveying to the place of use **6.5 to 9 cfs (3000 – 4000 gpm)** of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

Water Right No. 836-2
(Priority Date--June 15, 1964)

Water Permit No. 2131-2
(Priority Date—July 20, 1990)

SE ¼ NW ¼ - 7 acres

NE ¼ NW ¼ - 14 acres

SW ¼ NE ¼ - 12

SE ¼ NW ¼ - 1

SE ¼ NE ¼ - 7.5

SW ¼ NE ¼ - 4

NE ¼ NE ¼ - 6.5

NW ¼ NE ¼ - 19

33 acres

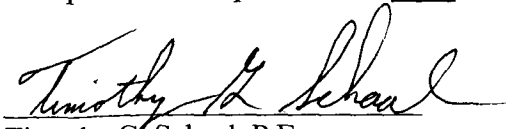
38 acres

comprising a total of **71** acres of land and the license should be issued for **1.01** cfs.

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

Exceptions to compliance are: **none**

Date Report Completed: **October 8, 2003**



Timothy G. Schaal, P.E.

Natural Resources Engineer Specialist

DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 2131-2

Other permit(s) associated with the project: 836-2

DATE OF INSPECTION: September 24, 2003

NAME & ADDRESS OF INSPECTION CONTACT/ Thad Stout
RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Thad Stout, PO Box 221, Kadoka, SD 57543-0221

DIVERSION POINT LEGAL LOCATION: White River - - between a point 2000 feet south & 3200 feet west (SE ¼ NW ¼) and a point 800 feet south & 265 feet west (NE ¼ NE ¼) of the NE corner of Section 32-T3S-R22E .

Pump:

- 1) Make Crisafulli
- 2) Serial No. 6246
- 3) Size 8 inch
- 4) Capacity 3000 to 4000 GPM

Motor:

- 1) Make John Deere 4430 tractor
- 2) Model No. XXX
- 3) Horsepower rating

DISTRIBUTION LINES OR CANALS:

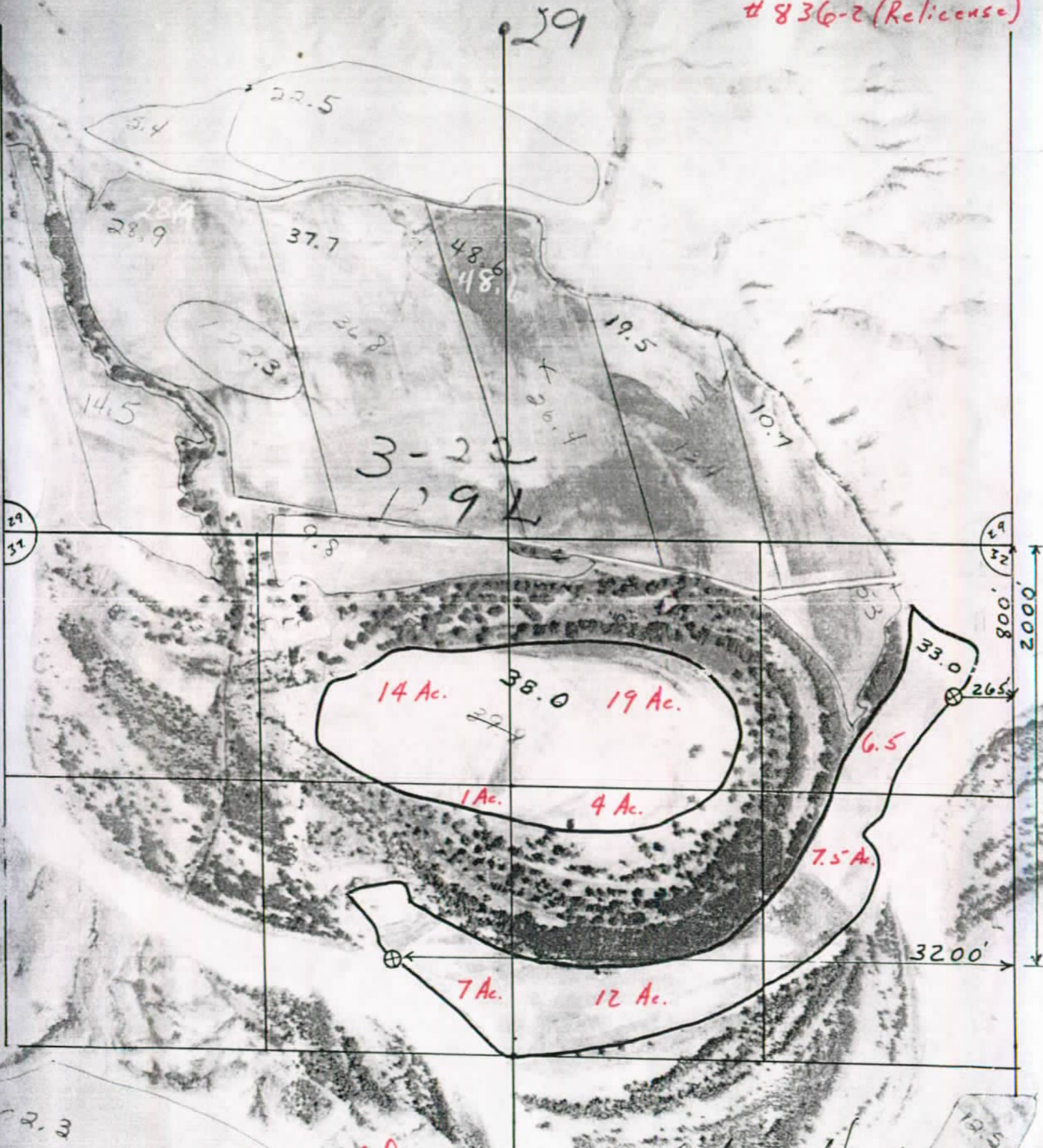
- 1) Type Aluminum (gated & non-gated) 2) Size 6 inches 3) Length Approx. 2500 feet

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 yes

Van Stout

Water Permit Application #2131-Z &
#836-Z (Relicense)



Timothy L Schaal
September 29, 2003

Timothy L Schaal
February 9, 1990

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2131-2

(1) Daniel Stout, Kadoka SD made Application No. 2131-2, April 24, 1990 for a water permit to divert 0.54 cubic feet of water per second (cfs) from the White River, Jackson County, South Dakota for irrigation purposes. Permit No. 2131-2, with a priority date of July 20, 1990 was approved July 25, 1990 and issued to the applicant for diversion of water with construction of the described water supply system and application to beneficial use of water completed.

On January 22, 1996, Water Permit No. 2131-2 was transferred to Thad Stout, PO Box 221, Kadoka SD 57543-0221.

Water Right No. 836-2 with a priority date of June 15, 1964 utilizes the same diversion points as authorized by No. 2131-2. The applicable portions of No. 836-2 are incorporated into No. 2131-2.

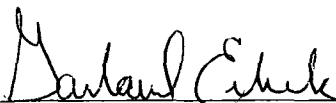
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Incorporated Water Right No. 2131-2 is issued a license, bearing priority dates of June 15, 1964 (0.47 cfs) and July 20, 1990 (0.54 cfs) to appropriate 1.01 cubic feet of water per second from the White River to irrigate 71 acres.

The diversion points are located: between a point 2,000 feet south and 3,200 feet west (SE ¼ NW ¼ and a point 800 feet south and 265 feet west (NE ¼ NE ¼) of the northeast corner of Section 32-T3S-R22E. The acres authorized for irrigation are as follows:

Section 32-T3S-R22E			
Priority date – June 15, 1964		Priority date – July 20, 1990	
SE ¼ NW ¼	7 acres	NE ¼ NW ¼	14 acres
SW ¼ NE ¼	12 acres	SE ¼ NW ¼	1 acre
SE ¼ NE ¼	7.5 acres	SW ¼ NE ¼	4 acres
NE ¼ NE ¼	6.5 acres	NW ¼ NE ¼	19 acres
33 acres		38 acres	
Total 71 acres			

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 2131-2 including the following now applicable qualifications:

- Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed. This Permit does not authorize diversion of water from the White River after June 1st of each calendar year, nor at any time when the river flow is low, unless written orders have been issued by the Chief Engineer. Diversions under this Permit shall be in accordance with any written orders issued by the Chief Engineer.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

APR 23 2004

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 2004

698-2
836-2
2131-2

Thad Stout
PO Box 221
Kadoka SD 57543-0221

Dear Mr. Stout:

Enclosed is Water License No. 2131-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is the receipt for \$50.00 which you paid for the investigation and issuance of the Water License.

The applicable portions of No. 836-2 are incorporated into Water License No. 2131-2.

Also, enclosed is the receipt for the transfer of Water Right No. 698-2 to your name.

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

Sincerely,

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

enclosures

2131-2, 698-2 &
LN 60849

File No. LN 60849

Water Rights Division -DENR
Conversation or File Documentation

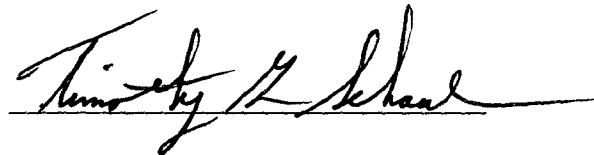
NAME OF PERSON OR FILE: Veryl Prokop

ADDRESS: XXXXXXXXXXXXXXXXXX COUNTY: Jackson

DATE: June 27, 2008 TELEPHONE: XXXXXXX

RE: dam repair

Yesterday, I met with Veryl Prokop and Gerald Magelky from the NRCS Office in Kadoka (I also talked to Thad Stout on the phone) about repair of the Prokop dam located in NW ¼ NW ¼ of Sec. 20-T3S-R22E. The culvert for the existing primary spillway had rusted out and partially failed (washed out) the embankment on the downstream slope. We discussed the repair, specifically the need for a low level bypass outlet for Thad Stout's downstream Water Right No. 698-2. It was agreed to locate the outlet about midlevel (8 ft down) due to the silt build up in the reservoir.



Timothy G. Schaal, P.E.
Natural Resources Engineering Specialist
Water Rights Program



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Lacreek National Wildlife Refuge
29746 Bird Road
Martin, South Dakota 57551-9510
605/685-6508
www.lacreek.fws.gov



LN 60849
698-2 & 2131-2

November 7, 2008

RECEIVED

NOV 12 2008

WATER RIGHTS
PROGRAM

Dept. of Environment & Natural Resources
Water Rights Program
Joe Foss Building
523 East Capital Ave.
Pierre, SD 57501

Mr. Timothy G. Schaal, P.E.,

This letter is to notify the Water Rights Division that a large dam located in Jackson County, was recently repaired under the State's definition of "maintenance" of a structure. This dam is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20 Township 3S, Range 22E. This structure is known as the Prokop Dam and is currently under the ownership of Veryl D. Prokop of Kadoka, South Dakota. This structure is covered under Location Notice (Dry Draw) No. 60849 dated January 6, 1975. This maintenance was completed with assistance from the U.S. Fish & Wildlife Services Partners for Fish & Wildlife Program and the Natural Resource Conservation Service (NRCS). Financial assistance was provided by the U.S. Fish & Wildlife Service and the private landowner. The structure received a new primary spillway that consisted of a new 42" CMP drop inlet with a 30" outlet. This drop structure also contained an 18" draw down pipe on the pool side with an irrigation gate to adhere to provisions in Water License No. 2131-2 and Water Right No. 698-2 under the name of Thad Stout. Some refacing of the structure also was performed; the emergency spillway of the structure is intact and required no work. All NEPA requirements were also completed for this site.

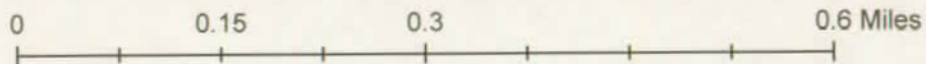
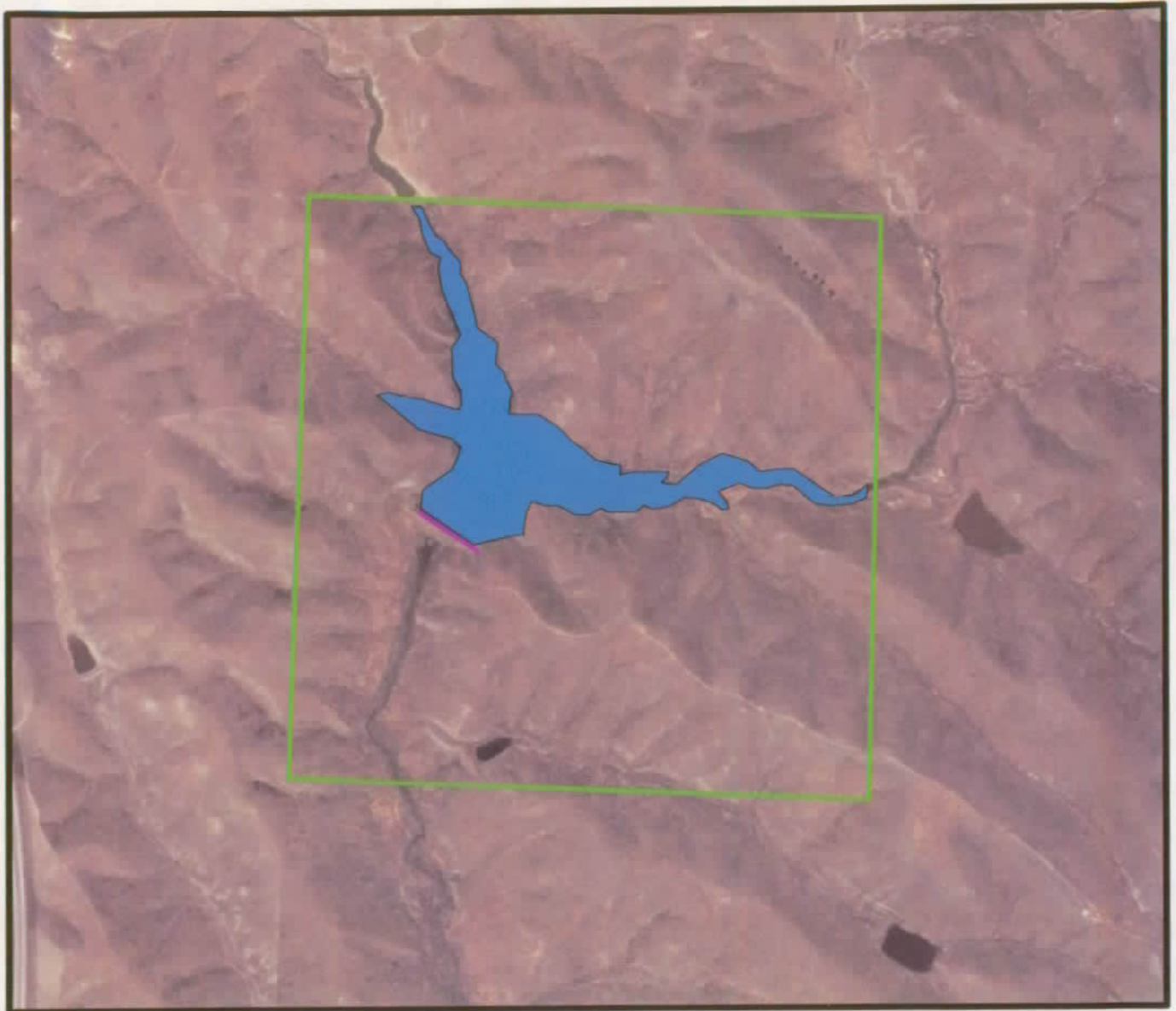
Sincerely,

Joseph E. Nichols; Wildlife Biologist
Partners for Fish & Wildlife Program

Cc: Kurt Forman; Wildlife Biologist



Veryl D. Prokop Jackson County



-  Project Boundary
-  Embankment
-  Wetland Created



RECEIVED
NOV 12 2008
WATER RIGHTS
PROGRAM





LOCATION NOTICE-DRY DRAW

Jackson
County

60849
Dry Draw No.

I, Otto F. Prokop, of
Name

Kadoka, South Dakota 57543
Address & Zip Code

Jackson
Town County

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

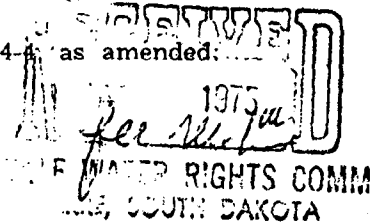
Resources Commission of the State of South Dakota and all others concerned that I am exercising my right under Section 46-4-3 of the South Dakota Compiled Laws, 1967 for construction of a Dry Draw dam for the purpose of storing
(storing, diverting, or both)
flood waters for livestock purposes.

The following data is presented in compliance with SDCL 1967-46-4 as amended:

(1) Dates of

(a) This application 1-6-75

(b) Posting at construction site



(2) Legal description of the land upon which the dam is located. NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 3S, Range 22E. The dam is located 80 rods S and 51 rods E of the NW corner of said Section (N.S.E.W.) (N.S.E.W.) (NW,NE,SE,SW)

in the County of Jackson

The owner of the land is Otto F. Prokop Kadoka, South Dakota 57543
Name Address

(3) Amount of water claimed for all purposes each year 114.5 acre feet.

(4) Storage capacity of reservoir 114.5 acre feet.

(5) Surface area of reservoir 14.7 acres.

(6) Size of watershed above dam 1850 acres.

(Over)

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

A copy of this Location Notice has been filed (do not record) with the Register of Deeds of Jackson County and has been posted at the structure site in accordance with Section 46-4-3 of the Water Laws.

Otto F. Prokop
Owner

by _____
Locator

STATE OF SOUTH DAKOTA
County of Jackson } ss.

On this 6th day of January, 19 75, before me
Janet Magelky, a Notary Public
(Notary Public or other Official having a seal)
in and for the County and State aforesaid, personally appeared Otto F. Prokop
to me personally known to be the person who executed the foregoing instrument and acknowledged that, —he executed the same for the purposes therein set forth.

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

Janet Magelky
Name

(SEAL)

Notary Public

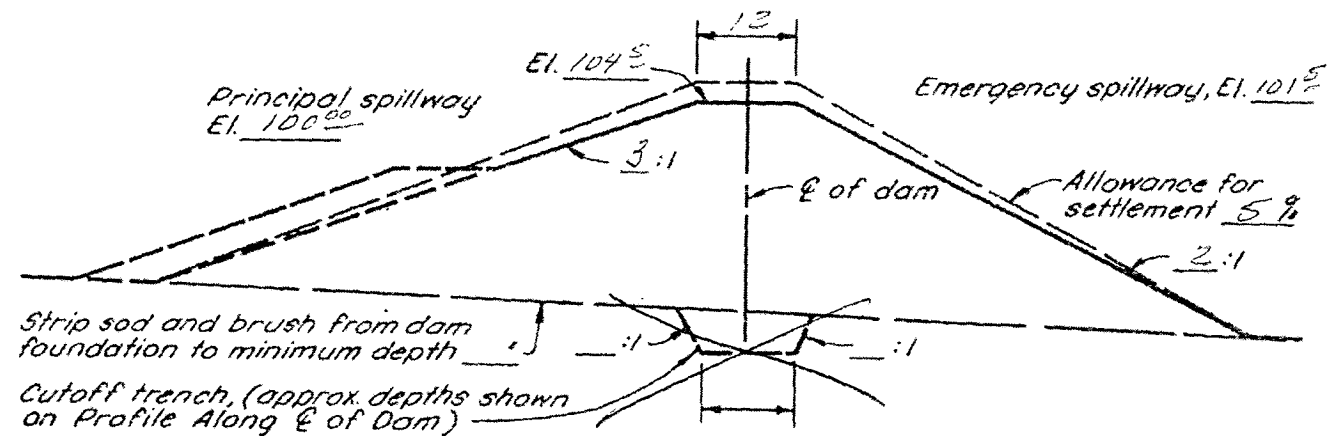
Title
My Commission expires 6-18-82

DRAINAGE AREA	ANNUAL YIELD	PEAK RUNOFF	EMERG. SPLWY. CAPACITY	WATER DEPTH	SURFACE AREA	SEDIMENT STORAGE	TOTAL STORAGE
ACRES	AC. FT.	25-YR.	C.F.S.	FEET	ACRES	AC. FT.	AC. FT.
1850							

ITEM	UNIT	QUANTITY
Excavation:	CY	3972
Structure Removal	E2	1
Embedment + 5% Settlement	CY	4170
4.3" x 8" CMP Drop Inlet 18" x 30" Tee's	E2	1
30" CMP 16 Gauge	LF	94
18" CMP 16 Gauge	LF	40
Anti Suck Collar Sand Job Plan 3.8	E2	1
Pipe Support + Job Plan 4.0 & 4.1	E2	2
Trash Rack & Baffle Job Plan 6.4	E2	1
30" CMP 16 Gauge 5° Elbow	E2	1

LOCATION

Bm #138
E1 106
A



TYPICAL CROSS SECTION OF DAM

S.D. CONSTRUCTION AND MATERIAL SPECIFICATIONS:

SD-15 Corrugated Metal Pipe
SD-3 Structural Hardware
SD-75 - Earth Fill Class 2
SD-12B Concrete to Hammer Start
SD-13 Steel Hardware - nut
SD-16 Timber Hardware
SD-17 Hardware - nut & washer

EARTH DAM

OPERATOR: Veryl Prokop
CONSERVATION DISTRICT: Jackson

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	G. L. Wagon 11/25/54	Date	11/25/54	Approved by	[Signature]
Drawn		Title			
Traced		Title			
Checked		Sheet	1	Drawing No.	
		No.	8		
		of	8		

SKETCH PLAN OF DAM AND RESERVOIR AREA

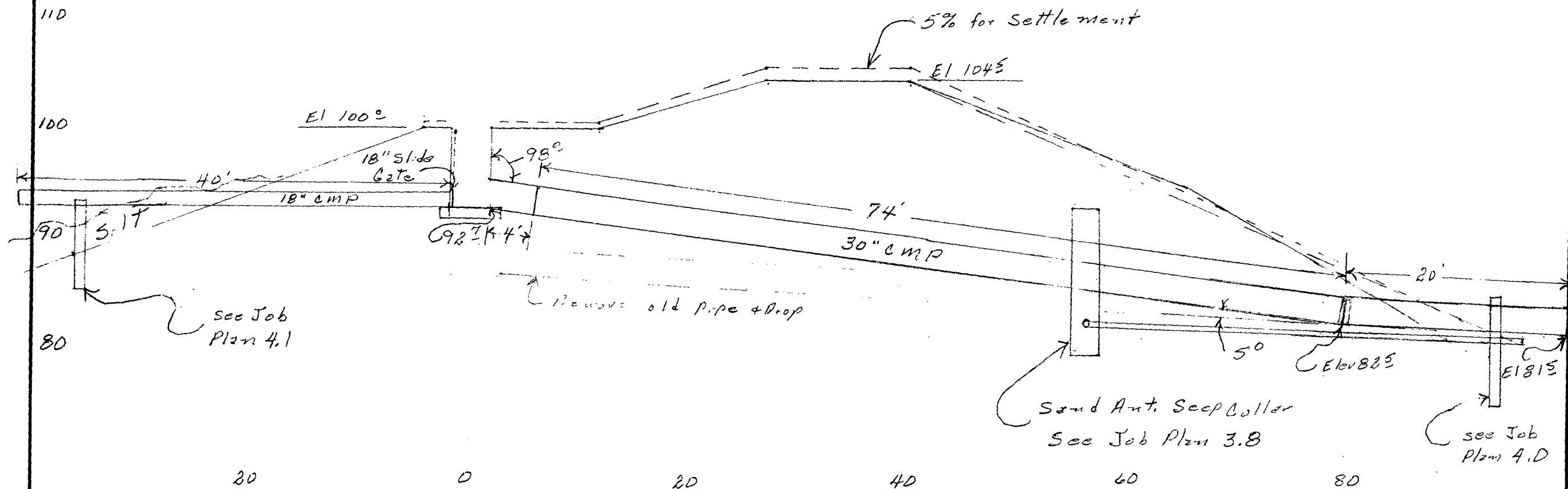
Approximate scale 1" = Not to Scale

REFERENCE: GUIDE PLAN NO. 1.0

JOB PLAN NO. 1.0

(REV. 4-73) 5, N-29, 073.10(1)

RECEIVED
JUL - 3 2008
WATER RIGHTS
PROGRAM

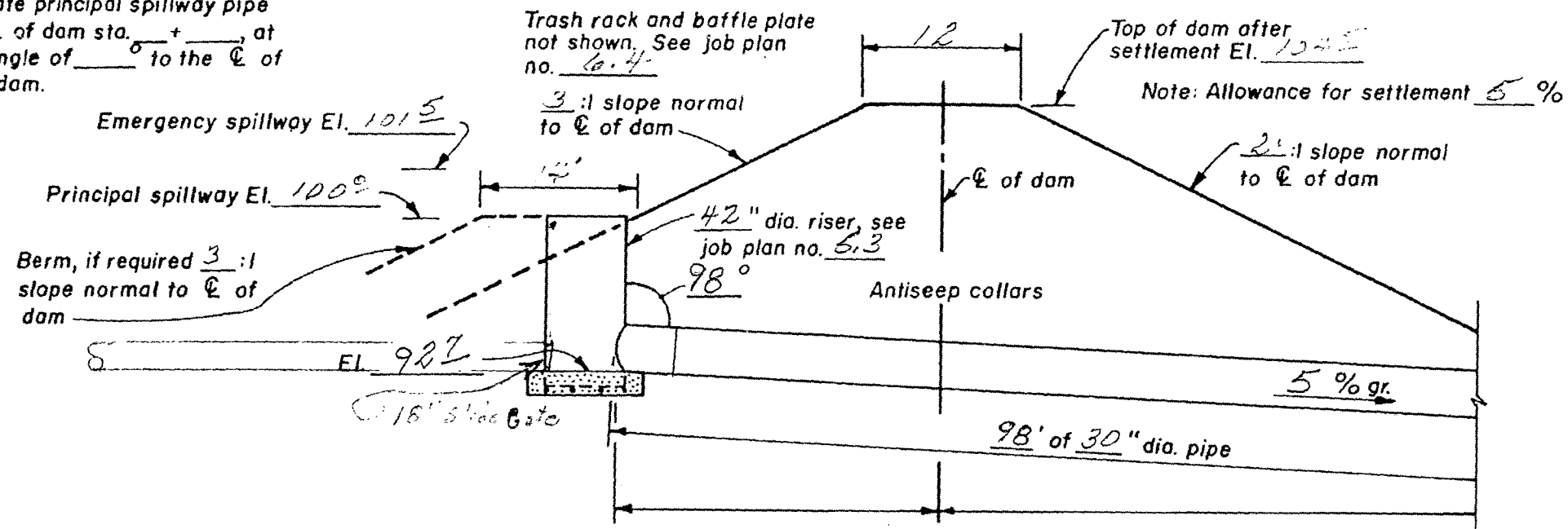


Veryl Prokop

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Date		Approved by	
Designed		Title	
Drawn		Title	
Traced		Sheet No. 2 of 8	
Checked		Drawing No.	

Locate principal spillway pipe at $\mathcal{C}$ of dam sta. + , at an angle of ° to the $\mathcal{C}$ of the dam.



CROSS SECTION OF DAM ALONG $\mathcal{C}$ OF PRINCIPAL SPILLWAY
(Not to scale)

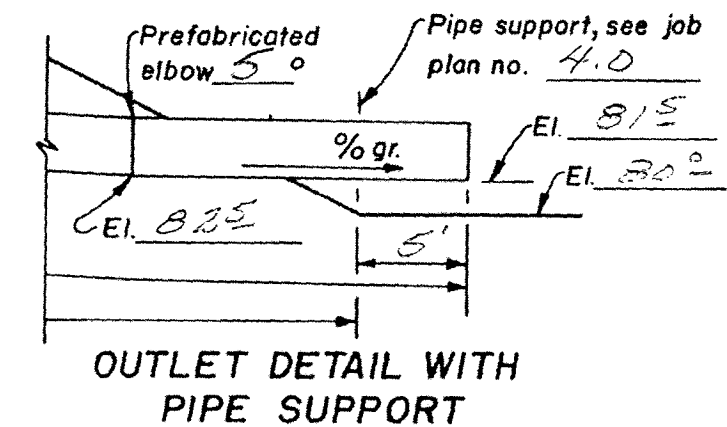
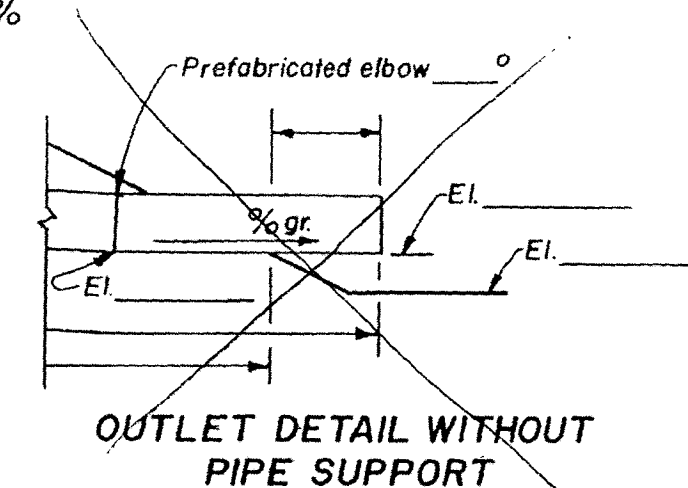
SPECIFICATION NOTES

1. ELBOW, IF REQUIRED, MAY BE FABRICATED BY CONTINUOUS WELDING SEPERATE PIPE SECTIONS OR BY FABRICATING A CONTINUOUS WELDED JOINT ON THE UPSTREAM END OF LAST SECTION OF PIPE.
2. PIPE WALL THICKNESS SHALL BE 16 GAGE OR INCHES.

TABLE OF QUANTITIES

ITEM	UNIT	QUANTITY
48" x 8' CMP Drop Inlet 14 gage IPS 5.3	EA	1
30" CMP 16 gage	LF	94
5° Elbow on one section 50"	EA	1
18" CMP 16 gage	LF	40
18" Slide Gate	EA	1

APPLICABLE STANDARD S.C.S. SPECIFICATIONS



Ne. Sec. 30, T. 25, R. 22E
Jackson County

LOCATION

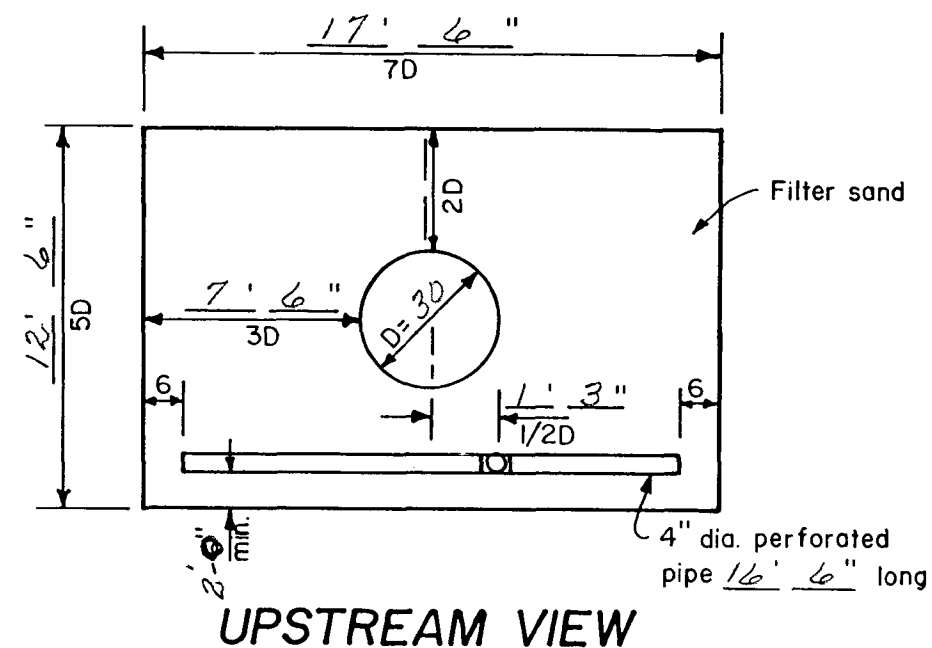
CORRUGATED METAL PIPE
DROP INLET PRINCIPAL SPILLWAY

OPERATOR Veryl Pickens

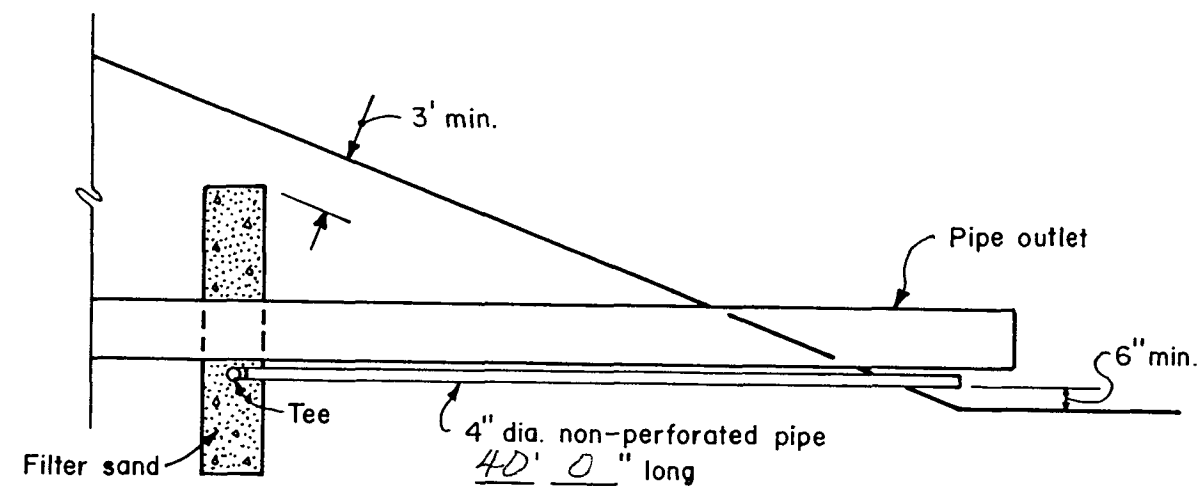
CONSERVATION DISTRICT

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

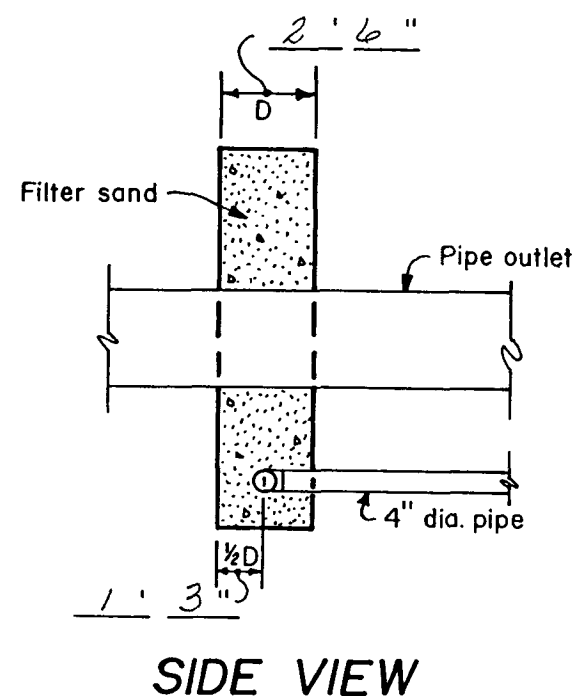
Designed Date Approved by
Drawn Title
Traced Sheet 3 Drawing No.
Checked of 8



1. THE 4" DIA. PIPE SHALL BE ASTM DI785, SCHEDULE 40, PVC.
2. PROVIDE AN ANIMAL GUARD ON DRAIN OUTLET PIPE. DRILL 2, 1/2" DIA. HOLES, ON $\varnothing$ 6" FROM END OF PIPE AND PLACE A 3/8" DIA., 5 1/2" LONG GALVANIZED STEEL BOLT THRU THEM AND SECURE WITH A NUT (PLACE BOLT HORIZONTAL).



OUTLET DETAIL



SIDE VIEW

SIEVE SIZE	PERCENT PASSING
3/8"	100
4	95-100
8	80-100
16	50-85
30	25-60
50	10-30
100	2-10

Sec. 20, T. 35, R. 22E

Jackson County
LOCATION

SAND ANTISEEP COLLAR

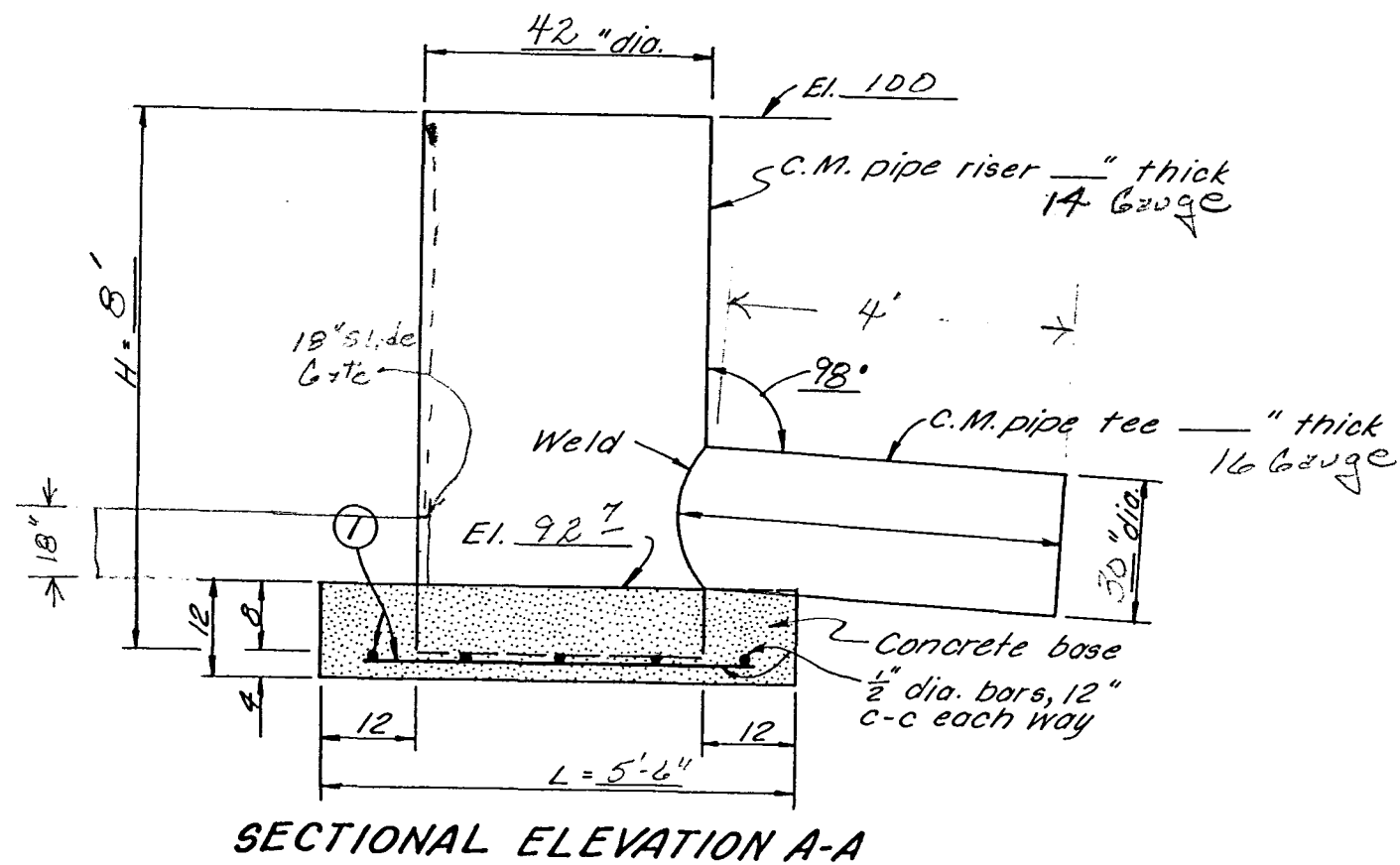
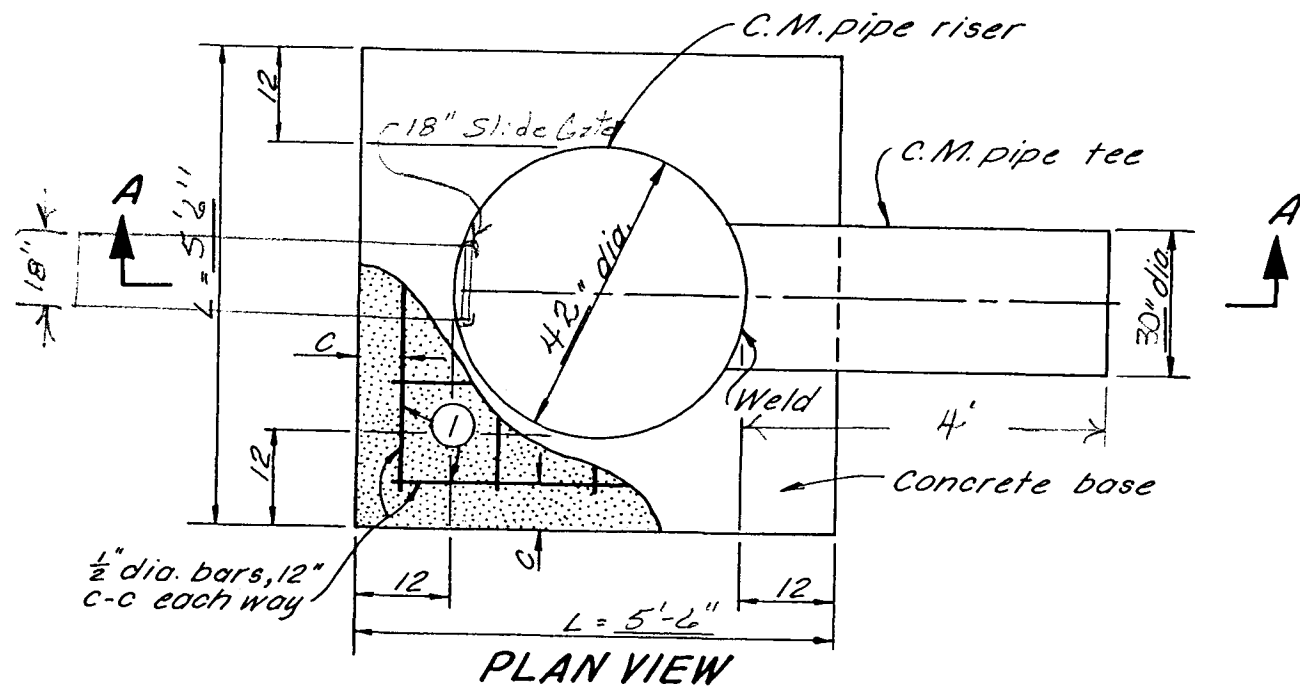
OPERATOR Veryl Prokoff

CONSERVATION DISTRICT *7/21/50-21*

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Date <u>6/11/2013</u>		Approved by <u>[Signature]</u>	
Designed <u>[Signature]</u>		Title <u>CE-1</u>	
Drawn _____		Sheet _____	
Traced _____		Drawing No _____	
Checked _____		No <u>4</u>	

JOB PLAN NO. 3.8



STEEL SCHEDULE

RISER DIA. IN.	BAR SIZE	MARK	TYPE	NO. REQ'D.	LENGTH FT.-IN.	TOTAL LENGTH FT.-IN.	TOTAL WT.LB.	C IN.	L FT.-IN.
42	4	I	STR.	12	5'0"	40'0"	40	3	5'2"

TABLE OF QUANTITIES

ITEM	UNIT	QUANTITY
CONCRETE	CU.YD.	1.2
REINFORCING STEEL	LB.	40

NOTE:

Manufacture 18" Slide Gate in Drop
Inlet with 18" CM Pipe Tee 16 Gauge
Opposit 30" CM P. Pipe Tee.

C.M. PIPE RISER WITH FABRICATED TEE

OPERATOR: Veryl Prokop
CONSERVATION DISTRICT: Jackson

CONSERVATION DISTRICT: Jackson

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Date	
Designed	G. L. Macgill / May 06/08
Drawn	
Traced	
Checked	
Approved by	[Signature]
Title	C-E-7
Sheet No.	3
Drawing No.	of 3

REFERENCE: GUIDE PLAN NO. 5.3

JOB PLAN NO. 5.3

5.N-29,073.5-3n

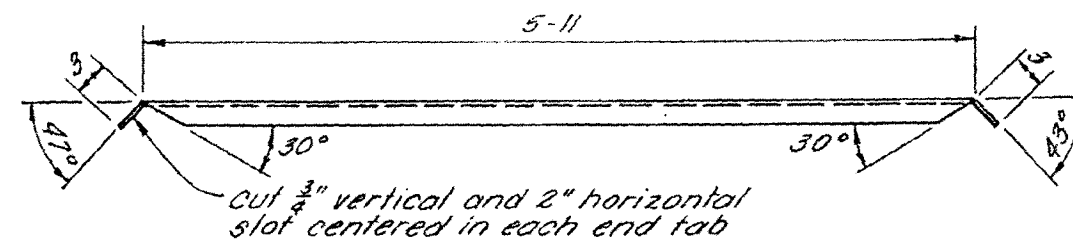
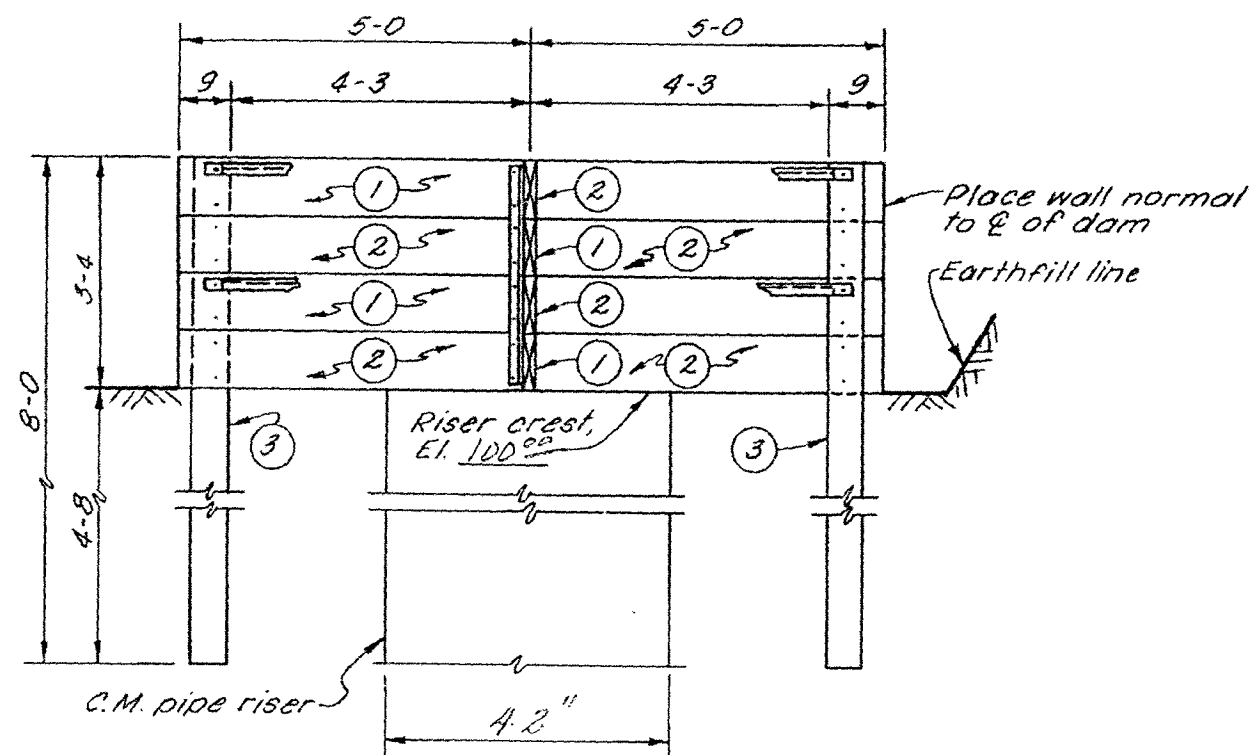
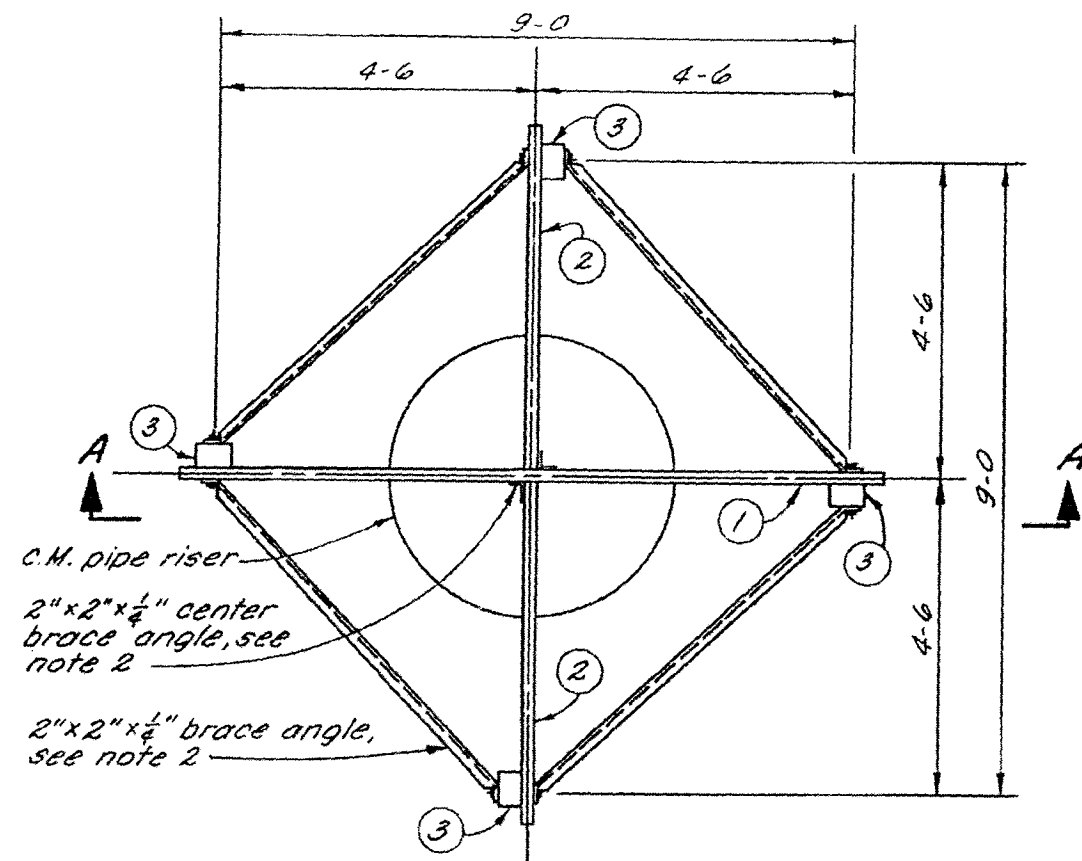


TABLE OF QUANTITIES

ITEM	MARK	NO. REQ'D.	QUANTITY
2" X 10" X 10' PRESSURE TREATED LUMBER	1	4	67 BD.FT.
2" X 10" X 4'-11" PRESSURE TREATED LUMBER	2	8	66 BD.FT.
4" X 6" X 8' PRESSURE TREATED POST	3	4	64 BD.FT.
2" X 2" X 1/4" X 6'-5" STEEL ANGLE		8	164 LB.
2" X 2" X 1/4" X 3'-2" STEEL ANGLE		2	20 LB.
5/8" X 8" STEEL BOLTS, NUTS, 2 WASHERS		32	32 SETS
1/2" X 3" STEEL BOLTS, NUTS, 2 WASHERS		32	32 SETS

NOTES:

1. TO 4" X 6" POSTS (4 REQUIRED) BOLT 2" X 10" BOARDS USING TWO 5/8" X 8" BOLTS PER 2" X 10" BOARD. DO NOT PLACE BOLTS CLOSER THAN 1 1/2" FROM EDGE OF BOARD.
2. FOR CENTER BRACE ANGLES DRILL 8 - 9/16" HOLES 5/8" FROM OUTER EDGE OF EACH LEG OF EACH ANGLE AND CENTERED 5 1/4" APART ALONG THE LEG.
3. ATTACH BRACE ANGLES TO TOP BOLT ON TOP 2" X 10" BOARD AND TO TOP BOLT ON NEXT TO BOTTOM BOARD.

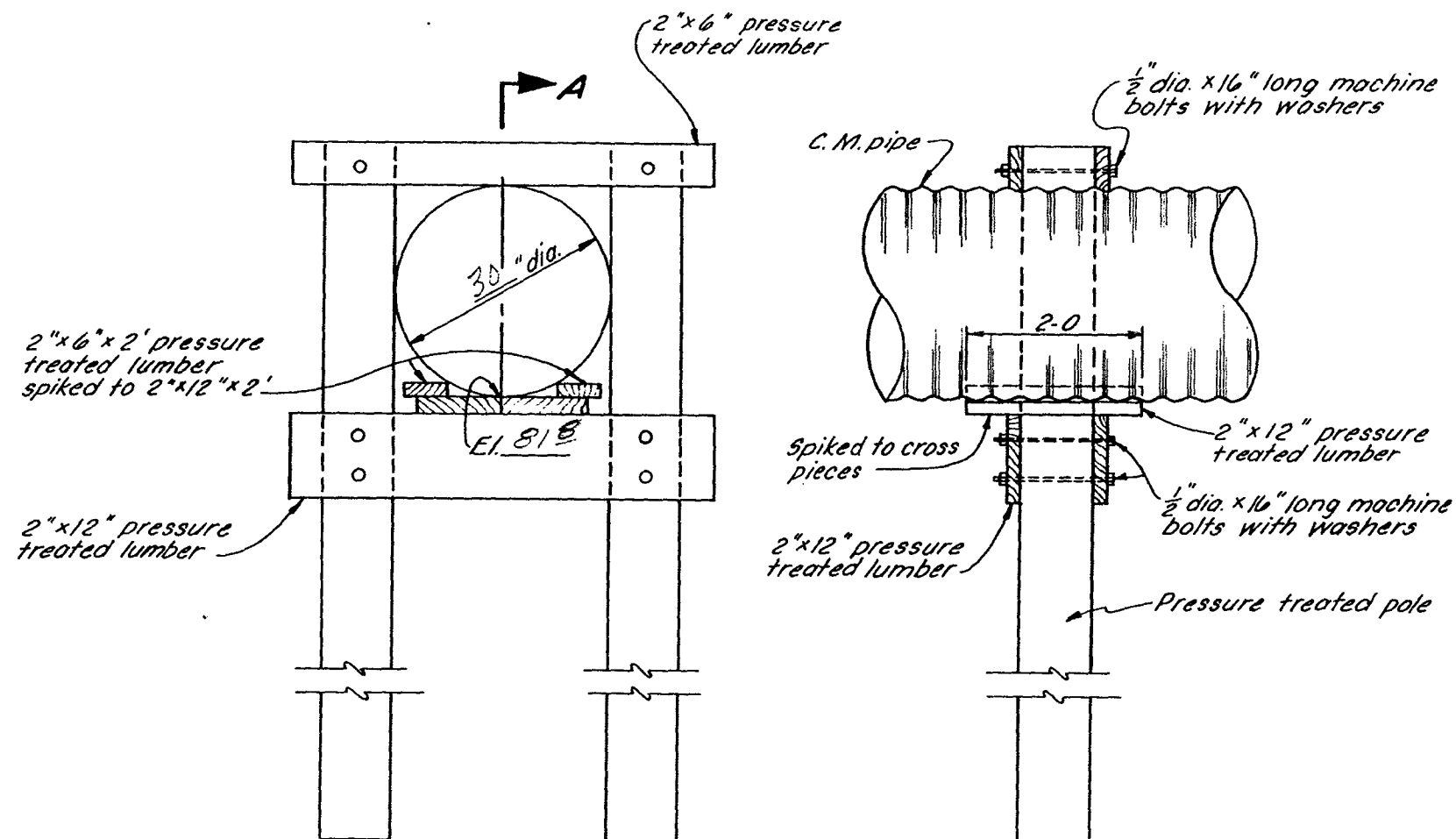
TRASH RACK AND BAFFLE
FOR RISER DIA. 36" THRU 60"

OPERATOR: Wesley Prokop

CONSERVATION DISTRICT: 2nd District

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Date	Approved by: <u>[Signature]</u>	
Designed: <u>W. Prokop</u>	Title: <u>2nd District</u>	
Drawn	Title	
Traced	Sheet	Drawing No.
Checked	No. <u>6</u>	
	of <u>8</u>	



ELEVATION

SECTIONAL ELEVATION A-A

TABLE OF QUANTITIES

ITEM	LENGTH FOR 30" DIA. C.M. PIPE	UNIT	QUANTITY
PRESSURE TREATED POLE 12" DIA.	10'-0"	EACH	2
2" X 12" PRESSURE TREATED LUMBER	5'-0"	EACH	2
2" X 6" PRESSURE TREATED LUMBER	5'-0"	EACH	2
2" X 12" PRESSURE TREATED LUMBER	2'-0"	EACH	2
2" X 6" PRESSURE TREATED LUMBER	3'-0"	EACH	2
1/2" DIA. MACHINE BOLTS WITH NUTS	1'-4"	EACH	6
1/2" DIA. WASHERS		EACH	12

NOTES:

- HAND OR MACHINE TAMP BACKFILL THOROUGHLY AROUND FOOTINGS AND COLUMNS.

TIMBER PIPE SUPPORT

OPERATOR: W. W. H. H. H.

CONSERVATION DISTRICT: Jackson

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed: <u>W. W. H. H. H.</u>	Date: <u>11/1/50</u>	Approved by: <u>W. W. H. H. H.</u>
Drawn: <u>W. W. H. H. H.</u>	Title: <u>Timber Pipe Support</u>	
Traced: <u>W. W. H. H. H.</u>	Title: <u>Timber Pipe Support</u>	
Checked: <u>W. W. H. H. H.</u>	Sheet No. <u>1</u>	Drawing No. <u>5, N-29, 073.4a</u>

REFERENCE: GUIDE PLAN NO. 4.0

JOB PLAN NO. 4.0

5, N-29, 073.4a

HOLD DOWN ROD DIMENSIONS

PIPE DIA. IN.	ROD LENGTH IN.
18	43
21	47
24	51
30	60

SIDE ELEVATION
TIMBER PROP FOR 18" TO 30" DIA. C.M. PIPE

END ELEVATION

HOLD DOWN ROD DIMENSIONS

PIPE DIA. IN.	ROD LENGTH IN.
36	65
42	72
48	80

SIDE ELEVATION
TIMBER PROP FOR 36" TO 48" DIA. C.M. PIPE

END ELEVATION

HOLD DOWN ROD DIMENSIONS

PIPE DIA. IN.	ROD LENGTH IN.
12	32
15	39

SIDE ELEVATION
TIMBER PROP FOR 12" TO 15" DIA. C.M. PIPE

END ELEVATION

NOTES:

1. STEEL PARTS SHALL BE STRUCTURAL QUALITY STEEL.
2. GALVANIZE OR PAINT ALL STEEL ITEMS AS SPECIFIED.
3. CROSS OUT PLANS NOT APPLICABLE.

JOB PLAN NO. 4.1

TIMBER PIPE SUPPORT

OPERATOR: Veryl Prokop
CONSERVATION DISTRICT: Tackson

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed <u>W. H. H. H.</u>	Date <u>10/1/50</u>	Approved by <u>W. H. H. H.</u>
Drawn <u>W. H. H. H.</u>	Title <u>Timber Pipe Support</u>	
Traced <u>W. H. H. H.</u>	Sheet No. <u>1</u>	Drawing No. <u>1</u>
Checked <u>W. H. H. H.</u>	of <u>1</u>	

5.N-29,073.4-1a

2131-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 18, 2012

2131-2

Thad Stout
25166 SD Hwy 73
Kadoka SD 57543 7200

Dear Mr. Stout:

Enclosed is a "Notice" dated October 12, 2012 concerning the 2012 irrigation questionnaire.

The notice was originally mailed to PO Box 221, Kadoka SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures



2131-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: THAD STOUT, 25166 SD HWY 73, KADOKA, SD 57543 7200
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2131-2. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2131-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

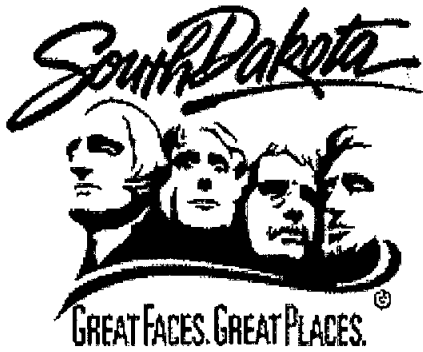
The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2131-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 6, 2018

2131-2

Thad Stout
25166 SD Hwy 73
Kadoka SD 57543-7200

Dear Mr. Stout:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 2131-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

2131-2



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: THAD STOUT, 25166 SD HWY 73, KADOKA, SD 57543 7200

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2131-2. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2131-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2131-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: GVQJZS**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 23, 2023

2131-2

Thad Stout
25166 SD Hwy 73
Kadoka SD 57543

Dear Mr. Stout:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 2131-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

Subject: Bypass Qualifications on the White River

March 30, 2023

Dear White River Water Right Holder,

The SD Dept. of Agriculture and Natural Resources Water Rights Program is reviewing qualifications on White River water rights in order to update when pumping is authorized. Water Rights issued with priority dates junior to 1975 contained a qualification requiring a mandatory June 1 shutoff to cease pumping water from the river. The mandatory June 1 shutoff qualification was placed on these permits to protect domestic water users, which includes livestock watering. The review found, with the passage of time the United States Geological Survey (USGS) streamflow monitoring has expanded and realtime access to this information has improved. An analysis of long-term historical flow found that the lower White River, downstream of the Little White River confluence, receives significant flow from the Little White River relative to the flow contribution from the upstream portion of the White River. Consequently, it may be possible to remove the mandatory June 1 shutoff qualification for the junior water right permits in this lower section of the river and replace the qualification with a flow bypass limitation as measured at the USGS streamflow gaging station located near Oacoma.

The intent of this effort is to allow for more efficient use of water when it is available by utilizing a bypass requirement as measured at a USGS stream flow gaging station for those water users. This qualification change will also allow many lower White River junior priority water right holders to irrigate after June 1 without the need to request an extension from the Chief Engineer. Current real time river flow information can be easily accessed on-line at the following internet address:

<https://waterdata.usgs.gov/sd/nwis/rt>

In order to amend a qualification on an existing water right permit, formal action by the SD Water Management Board is needed. In the near future, you can expect to receive official notification scheduling a hearing before the Water Management Board. The notification will include if your water right is proposed to have the qualification amended. This hearing will also be public noticed in select county newspapers in which the White River flows through. If you wish to participate in the hearing, you can, but you are not required to. There will be instructions with the notification on how to participate in the hearing if you so choose.

If you have any questions concerning this effort, please contact Mark Rath of the Water Rights Program at (605) 773-3352 or mark.rath@state.sd.us

Sincerely,

Eric Gronlund, Chief Engineer
SD DANR – Water Rights Program

Review of White River Water Rights and Report on Proposed Amendment

February 14, 2023

Introduction

An evaluation was made of the current qualifications that were placed on the existing White River water permits/rights to determine whether these qualifications are effectively managing the water source for the users.

Review of the Water Source

The White River, a prairie stream, located in southwestern South Dakota and northwestern Nebraska, Figure 1. The White River headwaters originate in northwestern Nebraska and drains approximately 9,975 square miles before discharging into the Missouri River near Oacoma SD.

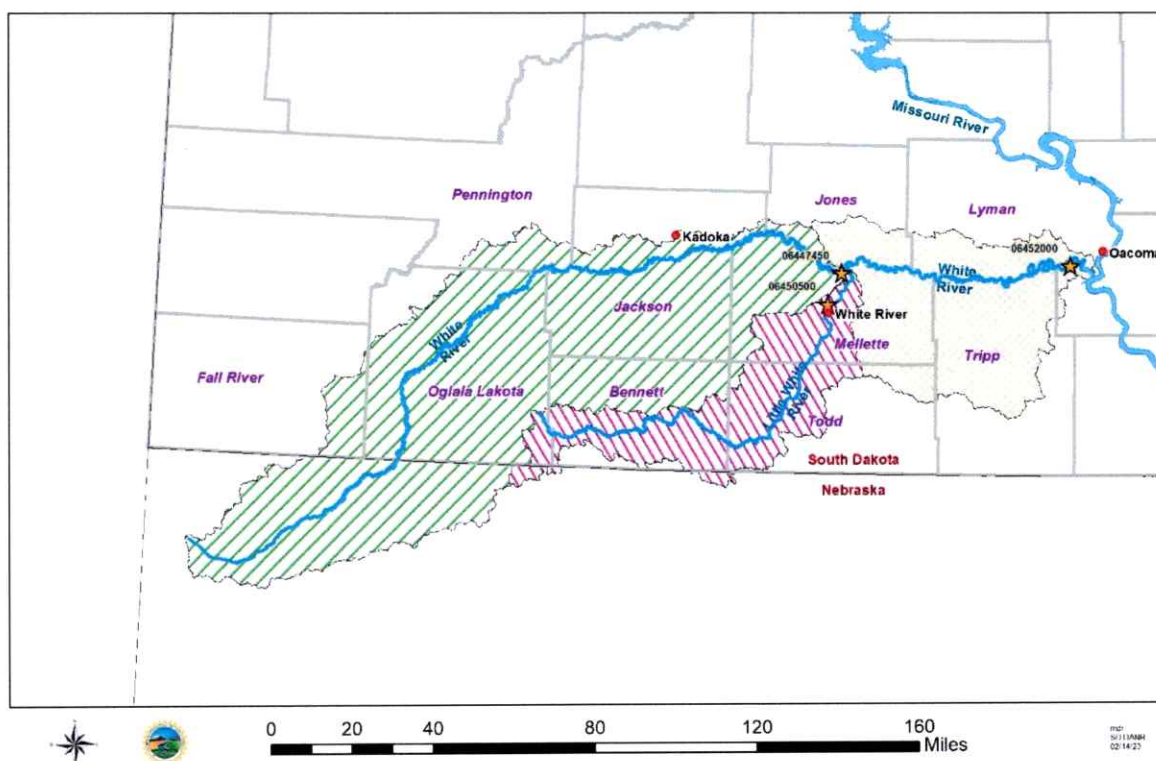


Figure 1. White River Watershed Map.

The entire watershed can be broken into three sections: upper White River, lower White River and Little White River. The upper White River watershed is the portion drained by the White River headwaters in northwestern Nebraska and drains portions of Oglala Lakota, Fall River, Bennett, Pennington, Jackson, Mellette, Jones, and Todd Counties located upstream of the Little White River confluence. The Little White River watershed is drained by the Little White River headwaters in Oglala Lakota County, draining portions of Nebraska, and Bennett, Todd, and Mellette Counties before merging with the White River approximately 12 miles southeast of the town of Murdo. The Little White River has more uniform flow than the White River due to a permeable sand formation allowing precipitation seeping into the ground to move laterally into the stream through springs and seeps (Ellis, et al. 1971). The lower White River section, after receiving contributing flow from the Little White and upper White rivers, also drains

portions of Mellette, Jones, Todd, Tripp, and Lyman Counties before discharging to the Missouri River just south of the town of Oacoma.

A percentile is a measure used in statistics to indicate the value below which a given percentage of observations in a group of observations fall, in this case daily flows. The percentiles shown correspond to flow scenarios during drier conditions when water would be in short supply. A percentile hydrograph can also give an indication of the time of year when water can be expected to be available at the gage location.

The USGS Stream Gaging No. 06447450 White River near White River, SD is located approximately 2 miles upstream from the confluence of the White and Little White rivers. Figure 2, shows three statistically derived flow levels consisting of the daily median (or 50 percentile), the 25 percentile, and the 10 percentile daily flow values for this stream gage. As this figure indicates, there is an increase in flow in the White River corresponding to spring snowmelt and spring rain events. The figure shows the median or 50 percentile hydrograph for this stream gage exhibits the daily flow values at or below this level on average one out of two years and also indicates flow curtailing in the mid-July to early September time frame before leveling off. It should be noted during any given year, flow in the river is not going to exactly mirror the median flow values. Since the median daily value is the center value with half the measured flow values greater and half less, what median values do provide is an overall indication of the historical flow characteristics for the stream at that location based upon the period of record. The hydrograph also shows there is a significant decline in available water corresponding with the 25 and 10 percentile levels from mid-to-late June.

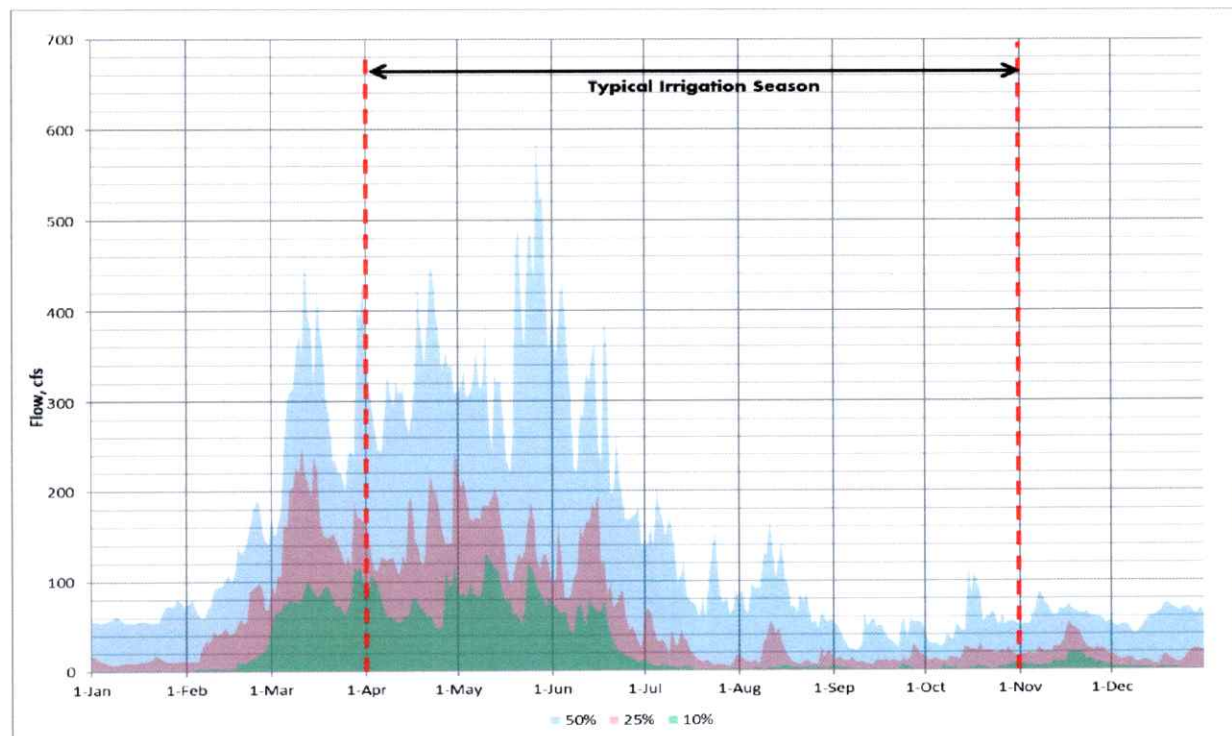


Figure 2. Daily percentile flow hydrographs for the USGS White River near White River 2001-2022, contributing drainage area 6202 mi² (USGS, 2023).

The USGS Stream Gaging No. 06450500 Little White River near White River, SD is located approximately 14.5 miles upstream from the confluence of the Little White River with the White River. Figure 3, indicates there is an increase in flow in the Little White River corresponding to spring snowmelt and rain events. The figure shows the median or 50, 25 and 10 percentile hydrograph levels for this stream and indicates flow at each of the three percentiles peaks in late March and steadily declines until the first of August. Flow then levels off for the remainder of the irrigation season but generally a base flow is maintained throughout the year.

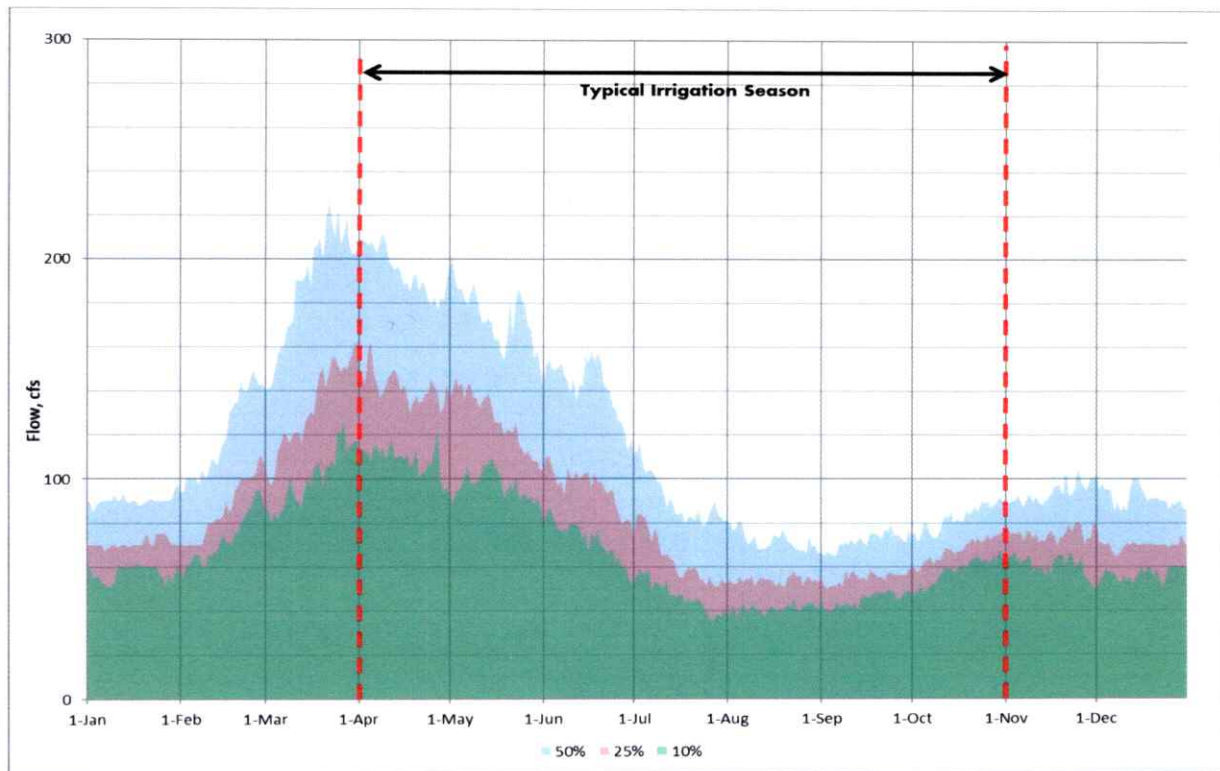


Figure 3. Daily percentile flow hydrographs for the USGS Little White River near White River, 1949-2022, contributing drainage area 1,495 mi² (USGS, 2023).

The USGS Stream Gaging No. 06452000 White River near Oacoma, SD is located approximately 55 river miles downstream from the confluence of the White and Little White rivers and approximately 16 miles upstream from the point where the White River flows into the Missouri River on Lake Francis Case. Figure 4 is a hydrograph showing the 50, 25 and 10 percentile levels similar to what was shown in the previous two figures. The median or 50 percentile hydrograph for this stream gage exhibits the daily flow values at or below this level on average one out of two years, and shows an increase in flow in the White River starting in early February corresponding to early spring runoff and maintains strong flows through most of June before tailing off through the remainder of the summer and fall months. At the 50 percentile level corresponding flow can be expected to be in excess of 40 cubic feet of water per second (cfs) throughout the year on average one out of two years. Looking at the hydrographs corresponding to the 25 and 10 percentiles, they show a similar trend to the 50 percentile curve with increased flows in February and tailing off in the latter part of June. The 25 percentile level shows the daily flow values at or below this level on average one out of four years, indicating flows remain above the 40 cfs level except for a period December through January. At the 10 percentile level, corresponding to the daily flow values

at or below this level on average one out of ten years, flows stay above 20 cfs except during the three week period from the first week of August through the first of September and the six week period in December and January, which is outside the irrigation season.

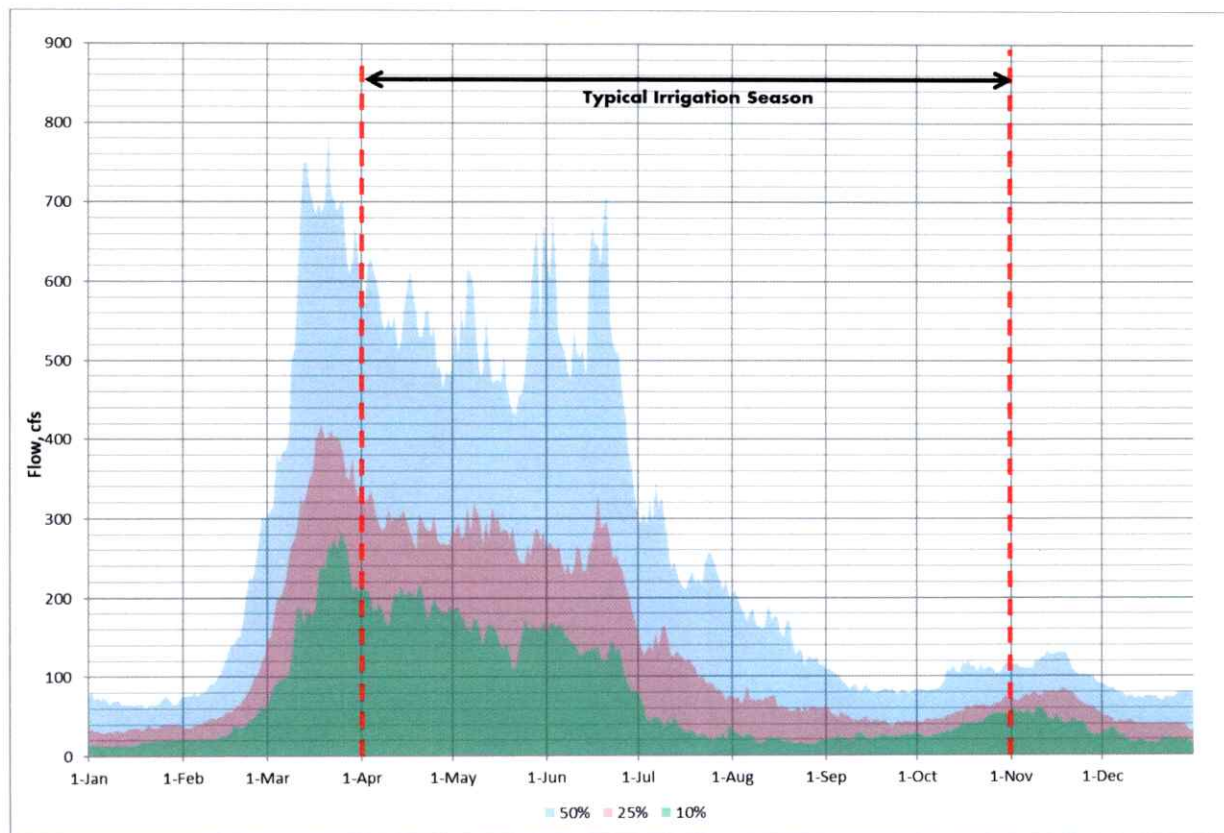


Figure 4. Daily percentile flow hydrographs for the USGS White River near Oacoma, 1928-2022, contributing drainage area 7,697 mi² (USGS, 2023).

The Water Management Board Authority

SDCL 46-1-14 gives the Water Management Board the authority to amend water right permits. Water permits issued by the board may be amended by the board with priority retained upon amendment. The board may alter terms, conditions, restrictions, qualifications, or quantifications.

South Dakota Codified Law

46-1-14. Terms and conditions of permits and licenses--Amendment. The Water Management Board may issue any permit or license subject to terms, conditions, restrictions, qualifications, quantifications, or limitations on perpetuity consistent with this chapter which it considers necessary to protect the public interest and which are related to matters within the jurisdiction of the board. Water rights issued pursuant to this section may be amended by the board and priority is retained upon amendment. Upon amendment the board may alter terms, conditions, restrictions, qualifications, or quantifications consistent with this chapter.

46-2-3.1. Delegation of authority to chief engineer--Restrictions. The Water Management Board may delegate to the chief engineer authority to act on its behalf concerning the quasi-judicial functions of interpreting,

applying, and enforcing existing rules and laws and ordering action or abatement of action. The board may not delegate any other quasi-judicial functions as defined in § 1-32-1, except as otherwise provided by law. The board may promulgate rules pursuant to chapter 1-26 to delegate to the chief engineer the authority to issue permits pursuant to § 46-1-14.

46-2-17. Chief engineer's general enforcement authority. The chief engineer may:

- 1) Investigate the use of the waters of the state and compliance with the provisions of water permits, licenses, rules, regulations, and laws relating to water rights.
- 2) Institute enforcement and other proceedings before the Water Management Board;
- 3) Enforce orders of the board; and
- 4) Perform other acts authorized by statute or regulation.

46-2-18. Chief engineer's authority to order discontinuance of water use. The provisions of chapter 1-26 notwithstanding, the chief engineer may, after appropriate investigation, issue an order to any person to shut off or limit the person's use of surface or groundwater, or to plug or otherwise control a well. The order may be issued only to protect another user who has higher or earlier priority or to cause a user of water to discontinue the use of water to which the user has no legal right. Upon a refusal to obey the order, the chief engineer may request a court of proper jurisdiction to issue a temporary restraining order or injunction to effectuate the provisions of the order.

Review of Existing Water Rights and Reported Use

A review of Water Right Program files shows there have been 200 water permits/rights issued from either the White or Little White rivers, some with priority dates going back to 1901. Many of these have been cancelled due to abandonment or forfeiture, some have been incorporated into other water permits, and some remain active. Currently, there are 82 existing permits/rights appropriating 190.9 cfs from the White River. Eighty of the existing permits/rights are for irrigation use and the other two are for small dams used for domestic and recreation purposes. Figure 5 shows a comparison between the water appropriated for irrigation use and the annual reported use by these irrigators for the years 1995 to 2021. As this figure indicates except for three years in the early 2000's, less than 10% of the water appropriated annually for irrigation was reported to be used (Water Rights. 2023).

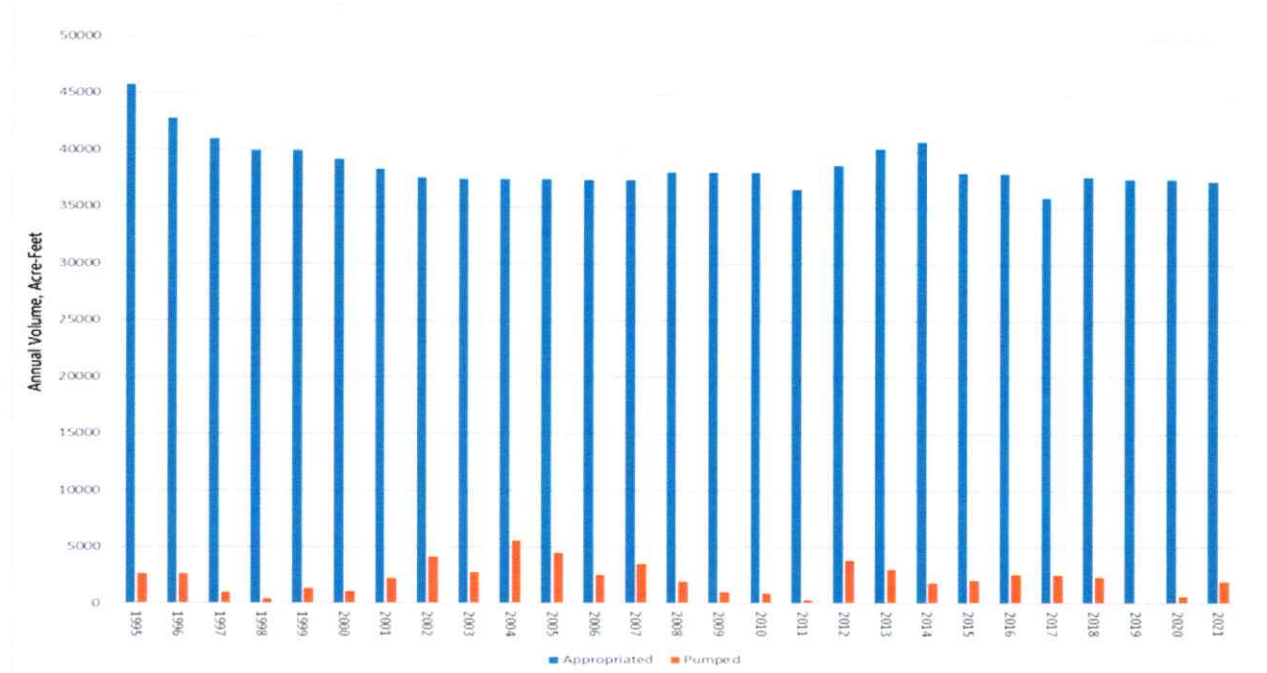


Figure 5. Total irrigation allocation and reported use from the White River (Water Rights, 2023).

Qualification Status

An examination of water right files found the Water Resources Commission, a predecessor to the Water Management Board, placed the first low flow bypass qualification, on a White River water permits in Lyman and Jackson counties in 1964. (Water Rights, 2023). In January of 1977, the Water Rights Commission, another predecessor to the Water Management Board, approved several deferred White River applications with priority dates going back to April 12, 1976, and placed a June 1 cutoff qualification on them. This same qualification has been placed on all White River permits issued since then.

In 2012, the Water Rights Program received an application for a water permit to irrigate from the White River in the river reach downstream from the Little White confluence. The analysis for that application resulted in a qualification to the issued water permit that the permit holder may request written authorization from the Chief Engineer to allow the irrigator to continue irrigating after the June 1 shutoff date. Prior to issuing the written authorization, the Chief Engineer would determine whether an appropriate base flow level was present. A 20 cfs bypass has been used in on other major rivers in South Dakota to provide for a base flow to insure domestic/livestock water needs are satisfied. It was determined a minimum base flow of 20 cfs bypass after pumping, as measured at the USGS gaging station, White River near Oacoma, was needed to allow the Chief Engineer to provide written authorization to continue using water. The permit was issued with the following qualifications (Water Rights. 2023).

1. This Permit authorizes the diversion of water from the dugout adjacent to the White River until June 1 of each calendar year. After June 1, there shall be no diversions under this Permit unless written authorization is issued by the Chief Engineer. Diversion under this Permit shall be in accordance with any written orders issued by the Chief Engineer.

2. Diversions from the dugout adjacent to the White River are authorized only when flow at the USGS Gaging Station No. 06452000 – White River near Oacoma is at least 20 cfs while pumping under this Permit.

Since that water permit was issued in 2012, the 20 cfs bypass as measured at the Oacoma stream gage criteria has been utilized multiple times when issuing written authorization to allow pumping after the June 1 cutoff in this river reach. This criterion has worked well.

Analysis and Proposed Qualification Revisions

The original cutoff date and the later adopted bypass requirement were analyzed to determine whether the 20 cfs bypass requirement would be a more effective means of managing active water rights going forward in the lower reach of the White River rather than a June 1 mandatory shutoff date. The review took into consideration the existing water rights, the qualifications, the authorized use, the location of the diversion points, the annual period of use, and historic stream flow data.

Upper White River

Water rights/permits with priority dates junior to April 11, 1976, located on the upper White River in the river reach upstream from the confluence with the Little White River contain the June 1 mandatory shutoff qualification.

The percentile hydrograph for USGS Stream Gaging No. 06447450 White River near White River, SD shown in Figure 2, indicates a decline in flow during the month of June at the three percentile levels shown (USGS. 2023). At the 10 and 25 percentile levels, corresponding to daily flow values at or below the indicated level on average one out of four years and one out of ten years respectively, show expected flow levels falling to a range of 20 cfs or below. At this time the current June 1 cutoff qualification appears to be working well, with irrigators requesting pumping variances when needed. A review of Water Rights Program files indicates this occurs sporadically with it most recently happening in the summer of 2022. An irrigator near Kadoka requested a temporary variance to pump runoff from a large upstream thunderstorm (Water Rights. 2023). At this time the recommendation is to leave the existing qualification requirements in place for current and future water rights/permits located in this river reach because the current qualification is working well.

Lower White River

Water rights/permits with priority dates junior to April 11, 1976, located on the lower White River in the river reach downstream from the confluence with the Little White River, contain the June 1 mandatory shutoff qualification.

In 2012, the Water Rights Program received Water Permit Application No. 2681-2, to divert water for irrigation from the lower White River reach. The analysis for that application determined that based upon historical flow data, there was a likelihood that water would be available many years in this reach after June 1 and there was a possibility the permit holder would be asking for a variance to allow pumping after the mandatory shutoff date. For the Chief Engineer to be able to grant written authorization to allow pumping and protect the base flow of the river, a new qualification was adopted (Water Rights. 2023).

- Diversions from the White River are authorized only when flow at the USGS Gaging Station No. 06452000 – White River near Oacoma is at least 20 cfs.

Since 2012, the June 1 mandatory shutoff and the 20 cfs bypass qualifications have been placed on water permits issued in the lower White River reach. The Water Rights Program has received numerous requests from these permit holders over multiple years to allow diversions from the river after June 1. Based upon the experience the Water Rights Program has gained managing use based off the 20 cfs bypass qualification, we found this qualification to be an effective water management tool for this lower reach of the White River.

There are 32 water permits/rights appropriating 86.81 cfs from the White River reach downstream of the Little White River confluence. Of these, there are 11 water permits/rights appropriating 29.54 cfs containing the qualification requiring diversions cease after June 1st of each calendar year (Water Rights. 2023). Based upon the review of the stream gaging, reported water use, and our experience with using the White River stream gage near Oacoma to regulate water diversions, I recommend for the water permits/rights located in the lower White River reach, the June 1st mandatory shutoff qualification be removed and the qualification requiring a 20 cfs bypass as measured at the White River near Oacoma stream gage be added to those water permits/rights that do not already have it.

Specific Proposed Qualification Revisions by Water Permit

To standardize the bypass qualifications for the existing water permits containing a June 1 mandatory shutoff qualification in the lower White River reach downstream from the Little White River confluence to Missouri River, the following changes are proposed:

Amendment to the qualifications contained in Water Right No. 1474-2

Delete Qualification:

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed. This permit authorizes the diversion of water from the White River for either to the land directly or off-stream storage until June 1 of each calendar year. After June 1, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Water Rights Commission or its legally appointed representative. Diversion under this permit shall be in accordance with any written orders issued by the Commission or its Representative.

Add Qualifications:

- Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be bypassed.
- Diversions from the White River are authorized only when flow at the USGS Gaging Station No. 06452000 – White River near Oacoma is at least 20 cfs.
- Diversion of water under this permit shall be in accordance with any written orders issued by the Chief Engineer.
- The Water Management Board retains jurisdiction of this water right in the event additional information shows that adjustments need to be made to the bypass requirements.

Amendment to the qualifications contained in Water Right No. 1501-2

Delete Qualification:

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed. This permit authorizes the diversion of water from the White River for either to the land directly or off-stream storage until June 1 of each calendar year. After June 1,

there shall be no diversions from the White River under this Permit unless written authorization is issued by the Water Rights Commission or its legally appointed representative. Diversion under this permit shall be in accordance with any written orders issued by the Commission or its Representative.

Add Qualifications:

- Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be bypassed.
- Diversions from the White River are authorized only when flow at the USGS Gaging Station No. 06452000 – White River near Oacoma is at least 20 cfs.
- Diversion of water under this permit shall be in accordance with any written orders issued by the Chief Engineer.
- The Water Management Board retains jurisdiction of this water right in the event additional information shows that adjustments need to be made to the bypass requirements.

Amendment to the qualifications contained in Water Right No. 1504-2

Delete Qualification:

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed. This permit authorizes the diversion of water from the White River for irrigation to the land directly until June 1 of each calendar year. After June 1, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Water Rights Commission or its legally appointed representative. Diversion under this permit shall be in accordance with any written orders issued by the Commission or its Representative.

Add Qualifications:

- Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be bypassed.
- Diversions from the White River are authorized only when flow at the USGS Gaging Station No. 06452000 – White River near Oacoma is at least 20 cfs.
- Diversion of water under this permit shall be in accordance with any written orders issued by the Chief Engineer.
- The Water Management Board retains jurisdiction of this water right in the event additional information shows that adjustments need to be made to the bypass requirements.

Amendment to the qualifications contained in Water Right No. 1529-2

Delete Qualification:

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed. This permit authorizes the diversion of water from the White River for irrigation to the land directly until June 1 of each calendar year. After June 1, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Water Rights Commission or its legally appointed representative. Diversion under this permit shall be in accordance with any written orders issued by the Commission or its Representative.

Add Qualifications:

- Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be bypassed.
- Diversions from the White River are authorized only when flow at the USGS Gaging Station No. 06452000 – White River near Oacoma is at least 20 cfs.
- Diversion of water under this permit shall be in accordance with any written orders issued by the Chief Engineer.
- The Water Management Board retains jurisdiction of this water right in the event additional information shows that adjustments need to be made to the bypass requirements.

Amendment to the qualifications contained in Water Right No. 1557-2

Delete Qualification:

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed. This permit authorizes the diversion of water from the White River for irrigation to the land directly until June 1 of each calendar year. After June 1, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Water Rights Commission or its legally appointed representative. Diversion under this permit shall be in accordance with any written orders issued by the Commission or its Representative.

Add Qualifications:

- Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be bypassed.
- Diversions from the White River are authorized only when flow at the USGS Gaging Station No. 06452000 – White River near Oacoma is at least 20 cfs.
- Diversion of water under this permit shall be in accordance with any written orders issued by the Chief Engineer.
- The Water Management Board retains jurisdiction of this water right in the event additional information shows that adjustments need to be made to the bypass requirements.

Amendment to the qualifications contained in Water Right No. 1630-2

Delete Qualification:

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed. This permit authorizes the diversion of water from the White River for off-stream storage until June 1st of each calendar year. After June 1st, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Water Management Board or its legally appointed representative. Diversion under this permit shall be in accordance with any written orders issued by the Board or its representative.

Add Qualifications:

- Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be bypassed.
- Diversions from the White River are authorized only when flow at the USGS Gaging Station No. 06452000 – White River near Oacoma is at least 20 cfs.
- Diversion of water under this permit shall be in accordance with any written orders issued by the Chief Engineer.

- The Water Management Board retains jurisdiction of this water right in the event additional information shows that adjustments need to be made to the bypass requirements.

Amendment to the qualifications contained in Water Right No. 1765-2

Delete Qualification:

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed. This permit authorizes the diversion of water from the White River for either to the land directly or off-stream storage until June 1 of each calendar year. After June 1, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Water Rights Commission or its legally appointed representative. Diversion under this permit shall be in accordance with any written orders issued by the Commission or its Representative.

Add Qualifications:

- Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be bypassed.
- Diversions from the White River are authorized only when flow at the USGS Gaging Station No. 06452000 – White River near Oacoma is at least 20 cfs.
- Diversion of water under this permit shall be in accordance with any written orders issued by the Chief Engineer.
- The Water Management Board retains jurisdiction of this water right in the event additional information shows that adjustments need to be made to the bypass requirements.

Amendment to the qualifications contained in Water Right No. 2312-2

Delete Qualification:

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed. This permit authorizes the diversion of water from the White River for irrigation to the land directly until June 1 of each calendar year. After June 1, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Water Rights Commission or its legally appointed representative. Diversion under this permit shall be in accordance with any written orders issued by the Commission or its Representative.

Add Qualifications:

- Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be bypassed.
- Diversions from the White River are authorized only when flow at the USGS Gaging Station No. 06452000 – White River near Oacoma is at least 20 cfs.
- Diversion of water under this permit shall be in accordance with any written orders issued by the Chief Engineer.
- The Water Management Board retains jurisdiction of this water right in the event additional information shows that adjustments need to be made to the bypass requirements.

The water rights/permits listed below were issued with a separate qualification that should be retained:

- Diversions from the White River are authorized only when flow at the USGS Gaging Station No. 06452000 – White River near Oacoma is at least 20 cfs while pumping under this water right.

Amendment to the qualifications contained in Water Right No. 2681A-2

Delete Qualification:

Water Permit No. 2681-2 authorizes the diversion of water from the White River for irrigation to the land directly or to two storage dams until June 1st of each calendar year. After June 1st, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Chief Engineer. Diversion of water under this permit shall be in accordance with any written orders issued by the Chief Engineer.

Add Qualifications:

- Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be bypassed.
- Diversion of water under this permit shall be in accordance with any written orders issued by the Chief Engineer.
- The Water Management Board retains jurisdiction of this water right in the event additional information shows that adjustments need to be made to the bypass requirements.

Amendment to the qualifications contained in Water Right No. 2701-2

Delete Qualifications:

Water Permit No. 2701-2 authorizes the diversion of water from the White River for irrigation to the land directly or to the existing dugout and storage dam authorized by Water Right No. 1415A-2 and Water Permit No. 2647-2 until June 1st of each calendar year. After June 1st, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Chief Engineer. Diversion of water under this permit shall be in accordance with any written orders issued by the Chief Engineer. *(Water Right No. 1415A-2 and Water Permit No. 2647-2 have been incorporated and are now licensed under No. 2647-2.)*

Water from the White River may be diverted to the dugout and existing dam authorized by Water Right No. 1415A-2 and Water Permit No. 2647-2 subject to qualifications Nos. 1 and 2. Diversion of stored water from either the dugout or the dam for irrigation of the authorized land is not subject the June 1st shut-off. *(Water Right No. 1415A-2 and Water Permit No. 2647-2 have been incorporated and are now licensed under No. 2647-2.)*

Add Qualifications:

- Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be bypassed.
- Water Right No. 2701-2 authorizes the diversion of water from the White River for irrigation to the land directly or to the existing dugout and storage dam authorized by Water Right No. 2647-2
- Diversion of water under this permit shall be in accordance with any written orders issued by the Chief Engineer.
- The Water Management Board is retaining jurisdiction of this permit in the event additional information shows that adjustments need to be made to the bypass requirements.

Amendment to the qualifications contained in Water Permit No. 2835-2

Delete Qualification:

This permit authorizes the diversion of water from the dugout adjacent to the White River until June 1 of each calendar year. After June 1, there shall be no diversions from the White River under this Permit unless written authorization is issued by the Chief Engineer. Diversion under this permit shall be in accordance with any written orders issued by the Chief Engineer.

Add Qualifications:

- This permit authorizes the diversion of water from the dugout adjacent and hydraulically connected to the White River. Diversion of water under this permit shall be in accordance with any written orders issued by the Chief Engineer.
- The Water Management Board retains jurisdiction of this water right in the event additional information shows that adjustments need to be made to the bypass requirements.



Mark D. Rath
Natural Resources Engineer III

References

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Water Rights. 2023. Water Right/Permit Files. SD DANR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

April 14, 2023

Subject: Amendment of the Mandatory Shutoff Qualification on White River Water Rights

Dear White River Water Right Holder,

The SD Department of Agriculture and Natural Resources has reviewed all White River water rights and the historical, United States Geological Survey (USGS) stream flow records. The Chief Engineer is recommending amending the mandatory June 1 shutoff qualification on 11 junior priority White River water rights located in the reach between the Little White River confluence and the Missouri River. The intent is to allow for more efficient use of water when it is available by utilizing a bypass requirement as measured at a USGS stream flow gaging station for those water users.

The proposed amendment to those water rights would replace the mandatory June 1 shutoff qualification with a 20 cfs of flow bypass measured at the USGS Oacoma streamflow gaging station. This amendment would not be expected adversely impact your use of the White River as authorized by your water right(s). The amendment designates a US Geological Survey streamflow gaging station as the measuring point to determine if pumping is allowed. The gaging station has real time flow information that can be accessed on-line at <https://waterdata.usgs.gov/sd/nwis/rt>.

A hearing before the Water Management Board is scheduled at 9:45 AM, Wednesday, May 3, 2023, in the Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre SD. Enclosed is the notice to be published on or before April 13, 2023, in one newspaper from each of the 9 counties that the White River flows through. This notice provides information on filing a petition in either support or opposition to the proposed amendment. The filing of a petition must be postmarked by April 24, 2023. Additionally filing a petition affords you the opportunity to participate in the May 3rd hearing before the Board if you choose.

The staff report including affected water rights and the proposed changes are available at <http://danr.sd.gov/public> or contact Mark Rath at 605 773-3352 or mark.rath@state.sd.us. If you have questions; please call. DANR is willing to work to answer any questions.

Sincerely,

Chief Engineer

Water Rights Program, DANR