

WATER PERMIT NO. 2303-2

Phone: 605 895-9453

Name of Applicant: Velda Ramser

Post Office Address: 306 Elm Street, Presho SD 57568

Amount of Water Claimed: 72 ~~73.8~~ acre-feet Total Acres: NA

Source of Water Supply: Mill Iron Creek

Water to be used for: fish & wildlife propagation County: Lyman

About 10 miles S, 2 W of Presho

PRIORITY Date Received: 1-27-94 Fee: \$150 Remarks: _____

Corrected Application Received: 3/24/94 ~~3-2-94~~ Period of Annual Use: Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED: NA APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: N 1/2 SE 1/4 Sec 35-T104N-R77W

Land to be Irrigated: _____

Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: _____ REMARKS: _____

Type of Map: topo PREPARED BY: Roger C. Smith Reviewed and the Number

Assigned on: 2-16-94 By: Karen Schlaak

No. 2303-2 Hydrologic Unit 10140204
 Map No. _____ Basin White River
 Newspaper Lyman Co. Herald, Presho

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

Check use of water: Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☒ Reconstruction of WPA dam to provide wildlife habitat.

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☐ Construction to use water reserved by Future Use Permit No. _____

1. Name of Applicant Velda Ramser Phone No. 605/895-9453

Post Office Address 306 Elm Street Presho State SD 57568
(Street, RR or Box) (City) (Zip Code)

2. Amount of water claimed (c.f.s.) Storage to 1788.0 MSL (FSL) 72 AF

3. Source of water supply Mill Iron Creek

4. Location of point of diversion 23.0 surface acres at Full Service Level (FSL) located in
N 1/2 of SE 1/4 S.35, T104N, R77W (Dam - N 1/2 of SE 1/4 S35) (Impoundment - ~~N 1/2~~
~~S 1/4, S 1/4, of the~~ N 1/2, S35) County Lyman

5. Counties where water will be used Lyman

6. Annual period during which water is to be used Year around Jan 1 - Dec 31

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Reconstruction of a breached Works Project Administration dam which would provide needed habitat for waterfowl, big game, upland game, furbearers, and also some stock watering.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed (see instruction)

STATE OF SOUTH DAKOTA)
 County of Lyman)^{ss}

I, Velda Ramser the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed Velda Ramser

Subscribed and sworn to before me this 26 day of Jan 1994

Dennis Dornen
 Notary Public
 My Comm Exp 2-24-99



**SOUTH DAKOTA
WATER PERMIT NO. 2303-2**

Date of first receipt of application January 27, 1994.

Date of return to applicant for corrections, amendments or changes February 16, 1994.

Date of receipt of corrected application March 21, 1994.

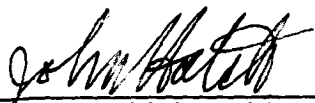
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2303-2 to Velda Ramser, 306 Elm Street, Presho SD 57568-9720 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2303-2 authorizes impoundment of 72 acre-feet of Mill Iron Creek and runoff water by reconstructing a dam. The dam site will be located in the N 1/2 SE 1/4 Section 35 with water impounded in the N 1/2 SE 1/4 and the NE 1/4 Section 35; all in T104N-R77W. Water will be stored annually to an elevation of 1788.0 feet mean sea level.
2. The water appropriated shall be used for the purpose of providing habitat for fish and wildlife production and livestock watering and may not exceed the amount of water needed for beneficial use for fish and wildlife production and domestic use.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 2303-2 is June 6, 1994.
5. The date from which applicant may claim right is January 27, 1994.
6. One-fifth of the construction is to be completed on or before December 6, 1996.
7. All construction is to be completed on or before June 6, 1999.
8. Water is to be put to beneficial use on or before June 6, 2003.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
2. Approval of Water Permit No. 2303-2 authorizes storage of up to 72 acre-feet of water annually.

WATER MANAGEMENT BOARD

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

JUN 22 1994
date

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well: _____
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

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

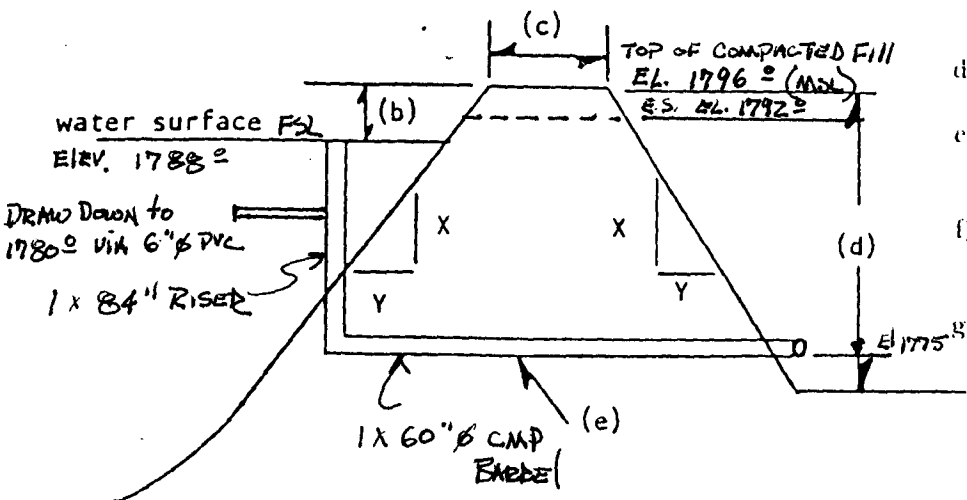
3. Water Storage Dams

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

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

ROGER C. SMITH, P.E. #4325
Ducks Unlimited
3502 FRANKLIN AVE BISMARCK, ND (701) 258-5599

INFORMATION PROVIDED BY: RCS



- b) Freeboard 8' FSL to Top of Dam
- c) Crest Width 12' MIN
 Crest Length 540'
- d) Height MAX HEIGHT IS @ STRUCTURE = 21'
- e) Primary Outlet Capacity 325 CFS @ EL. 1792'
 If Pipe, diameter SEE DIAGRAM
- f) Secondary Spillway Capacity 960 CFS @ 1795'
 Spillway width 120'
- g) X & Y Slope
 Upstream 3:1
 Downstream 3:1
- Surface Area of Impoundment 22¹ AC @ 1788'
- Storage 73⁸ AC-FT @ EL. 1788' acre feet
- Drainage area above dam 14.17 sq. mi.

Signature of Applicant _____

FROM: McCrea, Don

TO: Schaal, Tim

DATE: 12-30-93

TIME: 13:24

CC:

SUBJECT: Dam Safety Review Request

PRIORITY: R

ATTACHMENTS:

Tim,

Thanks for getting back to me so quick. GFP is applying for the water rights on both of the dams, but the landowners will retain ownership. They will each sign 30 year management agreements with our Department allowing us to manage the area for the optimum production of waterfowl through drawdowns, etc. If you need any more info., just holler. Thanks, Tim. Don

FORWARDED FROM: McCrea, Don

FROM: Schaal, Tim

TO: McCrea, Don

DATE: 12-30-93

TIME: 11:27

CC: Schaal, Tim

Peters, Jeff

SUBJECT: Dam Safety Review Request

PRIORITY:

ATTACHMENTS:

These dams will need a Water Permit if they store more than 25 acre-feet of water. Part of the Water Permit process is review of Plans and Specs. if the dam is 25 feet high or stores 50 acre-feet of water at Top of Dam elevation, along with a Preliminary Risk Assessment which describes the downstream area. These are usually not a problem with Ducks Unlimited and they should know the process.

Since these dams were originally WPA structures there may be a easement to the State (either GF&P or S&PL). There may be some question if the easements are still valid since the dams have been breached. It may depend on how long ago they failed. Who will be applying for the Water Permits and Who will be the owner of the dams?

I have the dam in Sec. 35-T104N-R77W listed on my inventory as Sweeney Dam and owned by S&PL so there must be an easement to them. They may want to be involved in the reconstruction process or at least involved in some sort of ownership transfer? I have no information on the dam in Sec. 21-T105N-R77W.

If you have any questions, just let me know. Please keep me informed on this matter.

Tim Schaal (773-4063)

REPLY FROM: Schaal, Tim FROM: McCrea, Don

TO: Schaal, Tim

DATE: 12-28-93

TIME: 14:26

CC:

SUBJECT: Dam Safety Review Request

PRIORITY: R

ATTACHMENTS:

Tim,

GFP and Ducks Unlimited are planning the reconstruction of several breached WPA dams in Lyman County. I wanted to let you know in case there may be any dam safety problems which may arise from these 2 reconstructions.

The first is on property belonging to Perry Comp, and the potential project is located in the east 1/2 S 21 R 77 T 105, or 1.5 miles SW of Presho, SD. The second potential project is on property belonging to Velda Ramser, and is located in the NE 1/4 of S 35 R 77 T 104.

If you have any questions or concerns about these two projects, please let me know. I have begun all the other permit work, and need to know if DENR may have any concerns. Thanks, Tim.

Don McCrea, Wetlands Habitat Biologist, GFP 773-3658

=====



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 16, 1994

Velda Ramser
306 Elm Street
Presho SD 57568

Dear Ms. Ramser:

We received your water permit application for reconstruction in Lyman County. The filing fee for this application is \$150.00. Upon receipt of the fee, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
605 773-3352

c: Tim Olson, Dept. of Game, Fish and Parks



DUCKS
UNLIMITED
INC.



DUCKS UNLIMITED, INC.
GREAT PLAINS REGIONAL OFFICE

3502 Franklin Avenue
Bismarck, North Dakota 58501-0761
(701) 258-5599

March 17, 1994

Tim Schaal
Natural Resource Engineer
Water Rights Division
SD Dept. of Natural Resources
Foss Building
523 E. Capitol
Pierre, SD 57501

RE: Velda Ramser Impoundment
Perry Comp Impoundment

Tim:

Enclosed are the revised Design Reports for the above projects. They have been revised to include a Spillway Rating Curve, and a statement regarding the preliminary plans vs. final construction plans.

If you need anything else, please let me know.

Sincerely,

Roger Smith, P.E.
Regional Engineer



DESIGN REPORT

PROJECT: VELDA RAMSER IMPOUNDMENT
SD-132-01

LOCATIONS: N½ SE¼, & NE¼ SECTION 35 TWP. 104N RGE. 77W
Lyman County, South Dakota

MARSH DATA: Full Service Level (FSL) @ 1788.0 (MSL)
22.8 Surface Acres @ FSL
71.5 Acre-Feet Capacity @ FSL

CLASSIFICATION OF PROPOSED DAM:

Based on the classification criteria outlined in Chapter 74:02:08 "Safety of Dams," it is recommended that the proposed dam be classified as a small, Category 3 dam. No loss of life and minimal economic loss is expected should failure occur. The product of the "maximum storage capacity" times the "effective height" is 3460.
~~(380 X 17 = 3390)~~
~~200~~

PRELIMINARY RISK ASSESSMENT:

The construction of the proposed project will have a positive impact on the township gravel roadway located downstream 10,800 feet. It appears the roadway has been overtopped numerous times. The structure contains a 72" diameter corrugated metal pipe having an available head of 13 feet and a capacity between 300 - 400 cfs depending on downstream channel characteristics. Spillway capacities within the proposed project exceed the roadway structure capacity and may not protect the roadway from overtopping in all instances. In the event of a failure to the proposed dam the downstream roadway may be overtopped. Structures downstream of the roadway were not identified since the construction of the project will have little or no consequences below the roadway.

DESIGN:

The embankment reconstruction will include the installation of a primary spillway, providing additional capacity to the emergency spillway, and raising the existing dam approximately two feet. The finished dam will have a top width of 12 feet at elevation 1796.0. In the area of the existing breach the embankment will be excavated at 3:1 slopes to insure proper compaction during the reconstruction. Material for the embankment will be from the emergency spillway excavation. Representative soil samples from the area of the planned emergency spillway was classified as fat clay in the soil investigation report. Four inches of topsoil will respread over the entire embankment and emergency spillway.

The primary spillway will function as a fixed level water control structure consisting of one 84 inch corrugated metal riser with draw down capabilities to elevation 1782.0 via a 6 inch gated pipe. The barrel will be a 60 inch corrugated metal pipe which will outlet into a rocked plunge pool. The riser and barrel will be coated as required in the construction specifications.

The emergency spillway will be excavated to elevation 1792.0, having a bottom width of 120 feet and a level crest along the centerline of approximately 400 feet. A dike constructed parallel to the emergency spillway will direct flows to a reconstructed outlet having a slope sufficient to ensure supercritical flow. The expected flow velocity during the 100 year event is 2.5 feet per second.

HYDROLOGY/HYDRAULICS:

HYDROLOGY - A hydrologic analysis of surface water runoff was performed using two methods. A peak discharge was determined from regression equations developed in WATER-RESOURCE INVESTIGATIONS REPORT 80-80 U.S. GEOLOGICAL SURVEY.

The SCS METHOD was used to determine the inflow hydrograph. The curve number used in the SCS METHOD was manipulated to create peak discharges similar to those developed from the regression equation. In this way credibility is established in the curve number choice. Other assumptions made in developing inflow hydrographs by SCS METHOD were:

Rain Duration = 1.00
Rain Table # = 1
Antecedent moisture condition = 2
Rainfall from SCS charts

Inflow hydrographs developed from the SCS METHOD were routed through the primary and emergency spillways. This yielded outflow hydrographs revealing peak discharges at maximum reservoir elevations corresponding to various runoff events. The following table is a summary of that printout:

PARAMETERS:

WATERSHED - 14.17 SQ MI

TIME OF CONCENTRATION - 14.86 HOURS

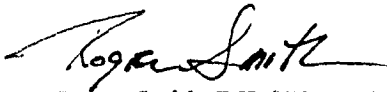
SCS CURVE #'S 5 YR-62 10 YR - 63 100 YR - 72

EVENT	RAIN (IN)	RUNOFF (AC-FT)	RESER. ELEV. (MSL)	PEAK INFLOW (CFS)	PEAK OUTFLOW (CFS)	FREE- BOARD (FT)	FLOW IN E.S. (CFS)
5 YR	3.15	347	1790.42	241	215	5.91	0
10 YR	3.60	536	1792.00	369	282	4.33	0
100 YR	5.2	1778	1794.93	1264	1241	1.4	950

The primary spillway capacity was calculated by comparing discharges developed by the weir flow formula and formulas for calculating head loss through corrugated metal pipe. The emergency spillway capacity was calculated using Technical Release No. 39 Hydraulics of Broad-Crested Spillways developed by the SCS.

Dated: January 17, 1994

Submitted By:



Roger Smith, P.E (PE-4325)
Regional Engineer
Ducks Unlimited
Great Plains Regional Office

RECEIPT

414069

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 2, 19 94

RECEIVED OF Velda Ramser, Box 54, Presho, SD 57568-9720

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

Fee for Application for Permit No. <u>2303-2</u> to Appropriate Water, to construct 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 _____		

(Any Other Work Provided by Law)	Total	150 00

By John Hatch 
Chief Engineer

Ducks Unlimited
Velda Ramser Impoundment
Water Permit Application # 230A-2

Top of Dam Elev. - 1796
Primary Spillway - 1788 - 84" CMP Riser - 60" Barrel
Secondary Spillway - 1782 - 120 Earthen
Bottom - 1775 - Dam Height = 21 feet

Normal Storage Capacity - 72
Int. " " - 200 Ac.-Ft.
Max. " " - 380 Ac.-Ft.

Ink Storage x Eff Ht. - 200 x 17 =
3400 > 3000 ∴ 50 year Min
Spillway Design Flood

DA = 14.17 mi.² - 9069 Ac.
Slope = 15'/mile
S_i = 2.05

From USGS "Tech. for Est. Floods... South Dakota"

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

$$= 106 (14.17)^{.63} (15')^{.45} (2.05)^{-.69}$$

$$= 106 (5.31) (3.38) (0.61)$$

$$= \underline{1160 \text{ cfs}}$$

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

$$= 132 (14.17)^{.65} (15')^{.46} (2.05)^{-.67}$$

$$= 132 (5.60) (3.48) (0.62)$$

$$= \underline{1600 \text{ cfs}}$$

Secondary Spillway Flow

$$Q = CLH^{7/4} \quad C = 2.6 \quad Q = 2.6 (120 \times 4)^{1.5}$$

$$L = 120 \quad = 2.6 (120 \times 8)$$

$$H = 4' \quad = \underline{2500 \text{ cfs}}$$

Ducks Unlimited uses the SCS TR-20 model, with varying CN numbers, to route the inflows thru the dam. They route a Q₅₀ peak inflow of 241 cfs thru the primary with 5.91 ft. freeboard, and a Q₁₀₀ peak inflow of 1264 thru the dam with 9.30 cfs thru the Secondary spillway with 1.4 ft. freeboard. Their peak flows are less than my calculations; however, the Secondary still passes more than either Q₅₀ peaks.

Section 74:02:08:09

SCS Annual Yield

1. Topo Map & Legal Description - OK

2. Dam Axis Profile - OK

3. Max K-Sec. of Dam - OK

4. Area - Capacity - OK

5. Outlet Detail - OK

* 6. Spillway Rating - NO - Need Info - Called

7. Spillway Detail - OK

8. Specs. - Standard DU - OK

9. Lpp - Cat. 3 N/A - OK

CN = 70

Isogram = 2 1/2

DA = 14.17 mi.² = 9069 Ac

50% = 0.28 A-Ex Ac.

0.28 x 9069 ÷ 12 = 212 Ac.-Ft.

DU 3/11/94

OK 3/31/94

recorded on April 27th, 1934, at 9 o'clock and minutes A.M. and was duly recorded

Seal of the County of Essex, Massachusetts, dated April 10, 1905.

#

42 - 13

EASEMENT CONTRACT

THIS AGREEMENT, made and entered into this 5 day of Dec. 1933, by and between the P.J.Sweeney, of Presho, South Dakota, party of the first part, and the Pierre, South Dakota, Party of the second part.

WITNESSETH: That for and in the consideration of the sum of One Dollar and other valuable considerations, the receipt whereof is hereby acknowledged, the party of the first part hereby grants, bargains and sells unto the party of the second part the easement and the right to build and construct an artificial lake which will flood with water the following described land, in Lyman County, South Dakota, to-wit:

NE $\frac{1}{4}$ Sec. 35-104-77

In addition thereto, the party of the first part hereby grants, bargains and sells to the party of the second part an easement and right to dedicate to the public a strip of land Twelve (12) feet in width lying above the highwater contour of the lake. It is mutually understood and agreed that if said

It is mutually understood and agreed that if said lake project shall be abandoned the land herein described and all rights hereunder shall revert to the grantor, his successors and assigns.

In witness whereof, We have hereunto set our hands and seald this 5 day of Dec. 1933.

P. J. Sweeney

State of South Dakota)
County of Lyman) SS

On this 5 day of Dec. in the year 1930, before me a Notary Public within and for said County and State, personally appeared P.J. Sweeney known to me to be the person who is described in, and who executed the within instrument, and acknowledged to me that he executed the same.

B. A. McAreavey

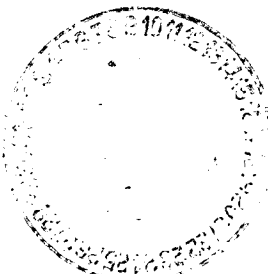
Office of Register of Deeds)
State of South Dakota ()
County of Lyman)

10 of Misc. on Page 301.

I hereby certify that the within instrument was filed in this office for record on April 25, 1934 at 3 o'clock and minutes P.M. and was duly recorded in Book

H. W. Gannaway, Register of Deeds.

#





DESIGN REPORT

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SD-132-01

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Lyman County, South Dakota

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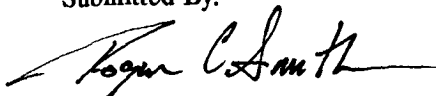
The primary spillway capacity was calculated by comparing discharges developed by the weir flow formula and formulas for calculating head loss through corrugated metal pipe. The emergency spillway capacity was calculated using Technical Release No. 39 Hydraulics of Broad-Crested Spillways developed by the SCS. A "Spillway Rating Curve" is attached to this report.

CONSTRUCTION PLANS:

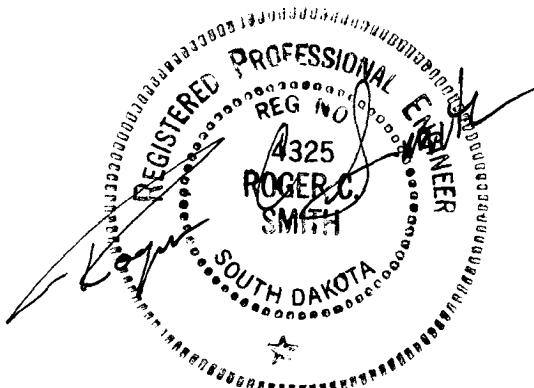
Constructions plans accompanying this report have been stamped "PRELIMINARY". The final construction plans will differ from the preliminary constructions plans only if error corrections or where additional clarity is necessary.

Dated: March 17, 1994

Submitted By:

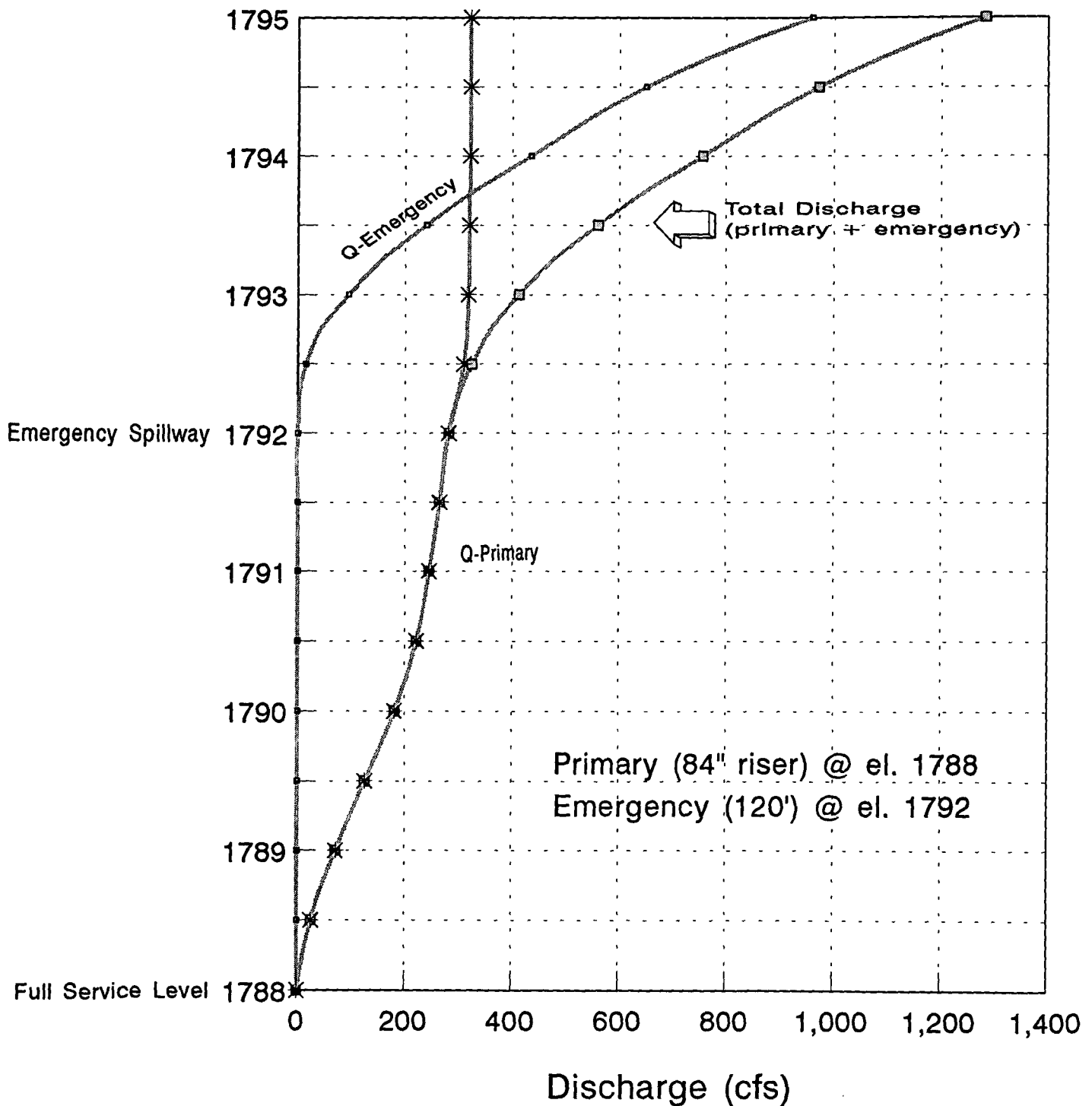


Roger Smith, P.E. (PE-4325)
Regional Engineer
Ducks Unlimited
Great Plains Regional Office



Velda Ramser Impoundment Spillway Rating Curve

Reservoir El.



* Q-Primary . Q-Emergency □ Q-Total



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 4, 1994

Roger Smith, P.E.
Ducks Unlimited, Inc.
3502 Franklin Ave.
Bismarck, ND 58501

Dear Mr. Smith:

We have reviewed the plans and specifications for the Velda Ramser Impoundment located in the N 1/2 SE 1/4 of Section 35-T104N-R77, in Lyman County. The plans and specifications as submitted are approved. Approval of the plans and specifications does not authorize construction of the project. No construction may begin until Water Permit Application No. 2303-2 is approved.

Our review was to determine compliance with the requirements of the Water Management Board Safety of Dams Rules, Chapter 74:02:08. Approval of these plans and specifications does not release Velda Ramser, as owner of the dam, from the responsibility for operating and maintaining the dam in good repair to assure the safety of the dam.

The Ramser Dam will be classified as a small size Category 3 dam with a dam height of 21 feet and a normal storage capacity of 72 acre-feet and a maximum storage capacity of 380 acre-feet.

If you have any questions, please feel free to contact me.

Sincerely,

Gale N. Selken, P.E.
Natural Resources Engineer IV
for John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

c: Velda Ramser
Don McCrea, GF&P

REPORT ON
WATER PERMIT APPLICATION No. 2303-2
Velda Ramser
March 31, 1994

Water Permit Application No. 2303-2 has been filed by Velda Ramser to impound 72 acre-feet of water in a dam. The dam will be located in the N 1/2 SE 1/4 of Section 35-T104N-R77W, in Lyman County. The water will be used for domestic use and fish and wildlife propagation.

Discussion:

This project is a cooperative effort between Ducks Unlimited, Inc., the South Dakota Department of Game, Fish and Parks and Velda Ramser. The project involves the reconstruction of an existing breached dam at this location that failed some time ago. This dam is listed on the inventory as Sweeney Dam, ID No. 2158.

The Ramser Dam will be classified as a Category 3, Low Hazard dam. It has been designed by Ducks Unlimited, Inc. and the plans and specifications have been approved; although, construction can not start until Water Permit Application No. 2303-2 is approved.

The Ramser Dam will be 21 feet high with a normal storage capacity of 72 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 380 acre-feet with the reservoir level at the top of dam elevation. A dam of this size and hazard classification is required to have a minimum spillway design capable of passing a 50 year frequency event.

Ramser Dam is designed to have a 84 inch CMP drop inlet with a 60 inch barrel as the primary spillway and a 120 foot wide earthcut secondary spillway. The dam has a drainage area of 14.17 square miles. Ducks Unlimited uses the Soil Conservation Service TR-20 Hydrology program to route the runoff through the dam. They route a 5 year-24 hour frequency event with a peak inflow of 241 cfs through the primary spillway with 5.91 feet of freeboard, and a 100 year-24 hour frequency event with a peak inflow of 1264 cfs through both spillways with 1.4 feet of freeboard. The 120 foot wide secondary spillway has a maximum capacity of approximately 2500 cfs.

The annual yield for the drainage area with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be approximately 212 acre-feet.

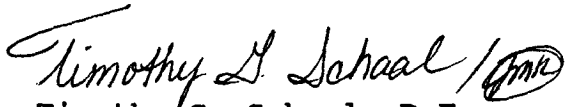
The Ramser Dam is located on Mill Iron Creek about 5 miles upstream of the confluence Mill Iron Creek and the White River. There are no existing Water Permits/Rights on this portion of Mill Iron Creek.

Conclusions:

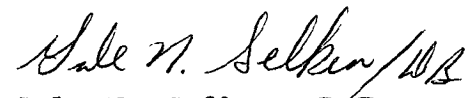
1. Water Permit Application No. 2303-2 should be approved since unappropriated water is available and approval will not have any adverse effects on existing Water Permits/Rights.

page 2
Application No. 2303-2

2. If approved, the low flow bypass requirement for downstream domestic use should be a qualification on Water Permit Application No. 2303-2.


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

Approved by:


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

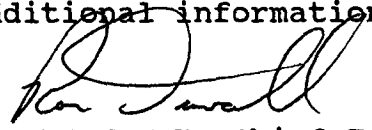
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2303-2, Velda Ramser

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 2303-2, Velda Ramser, 306 Elm Street, Presho, SD 57568.

The Chief Engineer is recommending APPROVAL of Application No. 2303-2 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.
2. Approval of Water Permit No. 2303-2 authorizes storage of up to 72 acre-feet of water annually.

See report on application for additional information.


for JOHN HATCH, Chief Engineer
April 25, 1994



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

May 10, 1994

Velda Ramser
306 Elm Street
Presho, SD 57568

Dear Ms. Ramser:

Water Permit Application No. 2303-2 for fish and wildlife propagation 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 Lyman Co. Herald printed at Presho, SD (Ph # 895-2505). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

c: Tim Olson, Permits Coordinator, Game, Fish and Parks, Pierre, SD



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 10, 1994

Lyman Co. Herald
Box 280
Presho, SD 57568-0280

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2303-2 to be published twice. Please publish the first notice on May 18, 1994, 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 Velda Ramser, 306 Elm Street, Presho, SD 57568 (Ph # 895-9453).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund

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 May 18, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2303-2 to Appropriate Water

Notice is given that Velda Ramser, 306 Elm Street, Presho, SD 57568 has filed an application for a water permit to impound 72 acre-feet of Mill Iron Creek and runoff water by reconstructing a dam. The dam site is to be located in the N 1/2 SE 1/4 Section 35 with water impounded in the N 1/2 SE 1/4 and the NE 1/4 Section 35; all in T104N-R77W. Water is to be stored annually to an elevation of 1788.0 feet mean sea level and is to be used to provide habitat for fish and wildlife production and livestock watering.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2303-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 6, 1994.

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

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Lyman) ss

I, Patricia J. McNaughton

certify that the attached printed Notice was

taken from the Lyman Co
Herald

printed and published in Presho

County of Lyman and State of

South Dakota. The notice was published in
 the newspaper on the following two dates:

5-18-94

5-25-94

Cost of Printing: 40.58

Patricia J. McNaughton
 (Signature)

Editor
 (Title)

6-7-94
 (Date Signed)

NOTICE OF APPLICATION
 NO. 2303-2 to Appropriate
 Water

Notice is given that Velda Ramser, 306 Elm Street, Presho, SD 57568 has filed an application for a water permit to impound 72 acre-feet of Mill Iron Creek and runoff water by reconstructing a dam. The dam site is to be located in the N 1/2 SE 1/4 Section 35 with water impounded in the N 1/2 SE 1/4 and the NE 1/4 Section 35; all in T104N-R77W. Water is to be stored annually to an elevation of 1788.0 feet mean sea level and is to be used to provide habitat for fish and wildlife production and livestock watering.

Pursuant to SDCL 46-2A-2, the Chief engineer recommends APPROVAL of Application No. 2303-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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5/18-25





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 22 1994

Velda Ramser
306 Elm Street
Presho, SD 57568-9720

Dear Mr. Ramser:

Enclosed is Water Permit No. 2303-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

c: Tim Olson, Water Permits Coordinator, Dept. of Game, Fish & Parks, Joe Foss Bldg, Pierre, SD



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 30, 1996

2303-2

Paul Barber
Dakota Hunt Preserve Associates
3315 Flint Dr
Rapid City SD 57702

Dear Mr. Barber:

On September 12, 1996, a field investigation was conducted of the storage dam authorized by Water Permit No. 2303-2 (copy enclosed). The investigation was conducted for licensing purposes. The final water right document, the Water License, can now be issued.

I am enclosing a partially completed "Notice of Transfer of Ownership" form for use in transferring the water permit from Velda Ramser to Dakota Hunt Preserve Associates. Please review the form for accuracy and make any necessary corrections. Upon completion, please sign the form in the presence of a notary public and return it to our office with a \$2.50 filing fee.

Tim Schaal, the engineer who conducted the investigation, indicated you would like some information on the water permit process. I am enclosing a *Summary of SD Water Law and Water Rights Information* which may answer some of your questions. Once a complete water permit application is received, a report is prepared by our staff which discusses many things, some of which are water availability, existing water permits which may be affected and public interest. Based on the information in the report, the Chief Engineer makes a recommendation of approval, deferral or denial. At that point, a legal notice is prepared and published in the county newspaper for two consecutive weeks. If no opposition is received (and the Chief Engineer has recommended approval), the application can be approved. Once the permit is issued, a permit holder has five years in which to construct the project. At the end of the construction period, a field investigation is conducted of the completed project and a water license is issued.

This information may seem a bit overwhelming, however the process usually flows very smoothly. We work directly with the applicant to ensure applications are complete and processed in a timely manner.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License. The total amount due for the transfer and the water license is \$52.50. Please remit fee to: Department of Environment & Natural Resources, Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181.

If you have any questions, please contact me.

Sincerely,

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 7, 1997

SECOND NOTICE
Permit No. 2303-2

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Paul Barber
Dakota Hunt Preserve Associates
3315 Flint Dr.
Rapid City, SD 57702

Dear Mr. Barber:

On September 30, 1996, you were notified the final inspection fee of \$50.00 and transfer of ownership fee of \$2.50 (\$52.50 total) is due before Water License No. 2303-2 can be issued. Water Permit No. 2303-2 is currently in the name of Velda Ramser. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$52.50 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

According to South Dakota Water Law 46-5-30.1, you may not divert water until the License fee is paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

5-13-97

Dear John -
I have looked through
my file and cannot
explain why I was not
aware of the FIRST notice
you sent in September.
Please accept my apology!
Sincerely, Connie Kucenich

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

2303-2

Paul Barber
Dakota Hunter Preserve Assoc.
3315 Flint Dr.
Rapid City, SD 57702

T, L

4a. Article Number

P 422 707 477

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5-12-97

5. Received By: (Print Name)

Paul Barber

6. Signature: (Addressee or Agent)

X 

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FACSIMILE TRANSMITTAL COVER SHEET

TRANSMITTAL DATE: May 20, 1997

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Paul Barber

PHONE: _____ **FAX:** 343-0648

MESSAGE:

Mr. Barber - the following is a copy of the "Notice of Transfer of Ownership" form. As I discussed with you on the phone - please take the time you need to complete the form and return it to us. You indicated there was still some uncertainty in what name the water right should be listed under.

It will not be necessary to transfer the water permit to your name and then turn around and transfer it to another name in a couple weeks. I will have Cheryl receipt in the money you submitted for the licensing and transfer of the water permit (\$52.50). No further fees are required.

We will continue with licensing the water permit as soon as the transfer form is returned to us. Thank you and if you have any questions, please contact me.

Genny

FROM: GENNY MCMATH **AGENCY:** DENR - WATER RIGHTS PROGRAM

ADDRESS: JOE FOSS BUILDING, 523 E CAPITOL, PIERRE, SD 57501-3181

PHONE: (605) 773-3352 **FAX:** (605) 773-4068

****THIS TRANSMISSION INCLUDES 2 PAGES INCLUDING THIS PAGE****

IF THERE IS ANY PROBLEM WITH THIS TRANSMITTAL, PLEASE CALL (605) 773-3352.

THANK YOU



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 19, 1998

2303-2

Paul Barber
Dakota Hunt Preserve Associates
3315 Flint Dr
Rapid City, SD 57702

Dear Mr. Barber:

I am contacting you in regard to Water Permit No. 2303-2 currently listed in the name of Velda Ramser. The permit authorizes impoundment of 72 acre-feet of water from Mill Iron Creek in Lyman County to be used for fish and wildlife propagation.

In May of 1997, we discussed transferring the water permit and then decided to wait because you were not certain whom it would be transferred to. At this point in time, I am writing to inquire if any decision has been made and if you are ready to proceed with transferring the water permit.

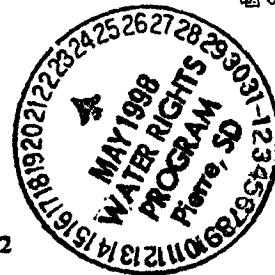
The water permit is also ready for licensing. Tim Schaal, staff engineer with our program, conducted a licensing investigation in of September, 1996. The license will be issued as soon as the ownership issue is cleared up and a transfer form is filed. All fees have been paid as far as the transfer of ownership and licensing are concerned.

Please get in touch with me concerning the transfer of the water permit. If you no longer have the original transfer form, let me know and I can forward another copy to you. Thank you in advance for your assistance in this matter.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
605 773-3352

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 2303-2

Date: 5/21/98

I/We request that Water Permit No. 2303-2

formerly owned by: Velda Ramser

be transferred to: (name & address) DAKOTA Outback ATT. PAUL BARBER

3315 Flint Dr Rapid City SD. 57702

Telephone No. 605-343-4155

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

dam located in the N $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, T104N, R77W

I/We understand that the validity of Water Permit No. 2303-2 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 Pennington)

I/We Paul Barber 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.

[Signature]
(Signed)

Subscribed and sworn to before me this 21 day of May, 19 98

[Signature]
(Notary Public)

MY COMMISSION EXPIRES JUNE 10, 2002

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.

Office of Registrar of Deeds

Rapid City, S. Dak.

211

98
13

or *Laeta* (with a)

the sum of

Dollars

Feb

Friday, 10/10/00

For citation name please
5 year send

REGISTER OF PRIZES

PENNINGTON COUNTY COURT HOUSE

315-SI-JOE-SI

Register of Deeds

2-11-2003

BY -

Deputy - Clerk



RECEIPT

415362

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 20, 19 97

RECEIVED OF Dakota Hunt Preserve Associates, 726 St. Joseph St., Rapid City, SD 57701
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</u> Permit No. 2303-2	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer

RECEIPT

415363

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 20, 1997

RECEIVED OF Dakota Hunt Preserve Associates, 726 St. Joseph St., Rapid City, SD 57701

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. <u>2303-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch Chief Engineer

Permit No. 2303-2
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 12, 1996**, made a thorough examination of the water use system constructed by **Velda Ramser (new owner--Dakota Hunt Preserve Associates, c/o Paul Barber, 3315 Flint Drive, Rapid City, SD 57702)** of **30 Elm Street, Presho, SD 57568** holder of Permit No. **2303-2**, bearing the priority of **January 27, 1994** authorizing the storage of **72** acre-feet of the waters of **Mill Iron Creek** for **fish & wildlife propagation** purposes, in **Lyman** County.

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

A. Works used to divert the water:

Earth dam (Repaired by Ducks Unlimited)

21 ft. High, 72 Ac-Ft. Normal capacity, 380 Ac-Ft. Maximum capacity

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

N/A

C. Works used to apply water to beneficial use:

Earth dam

The system is in the following condition **Good**. The point of diversion is located **950 feet west & 2450 feet north of the SE corner of Section 35-T104N-R77W (N 1/2 SE 1/4)**. The works are capable of storing **72** acre-feet of water which is to be used for **fish & wildlife propagation**. Water has been put to beneficial use to the maximum extent as follows:

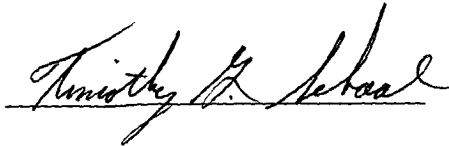
Earth dam (Repaired by Ducks Unlimited)

21 ft. High, 72 Ac-Ft. Normal capacity, 380 Ac-Ft. Maximum capacity

and the license should be issued for **72** acre-feet of storage.

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

Exceptions to compliance are: **none** Date Report Completed: **September 17, 1996**



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



9/12/96

WR # 2303-2

9/12/96

WR # 2303-2

Velda Ramser Dam





REPORT ON INSPECTION OF PERMIT NO. 2303-2

Other permit(s) associated with the project: XXXX

DATE OF INSPECTION: September 12, 1996

NAME & ADDRESS OF INSPECTION CONTACT/ Velda Ramser

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: XXXX

NAME & ADDRESS OF PERMIT HOLDER: Velda Ramser (new owner--Dakota Hunt Preserve Associates, c/o Paul Barber, 3315 Flint Drive, Rapid City, SD 57702)

DIVERSION POINT LEGAL LOCATION: 950 feet west & 2450 feet north of the SE corner of Section 35-T104N-R77W (N 1/2 SE 1/4).

DAM INFORMATION:

- 1) Height to crest 21 feet
- 2) Height to primary spillway 13 feet
- 3) Height to secondary spillway 17 feet
- 4) Crest width 12 feet
- 5) Crest length 540 feet
- 6) Spillway length XXX feet
- 7) Spillway width 120 feet
- 8) Approx. storage (Normal) 72 acre-feet
- 9) Approx. storage (Maximum) 380 acre-feet
- 10) Date constructed: 1994

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by yes
- 3) All structures, wells and lands on map yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A

NOT TO SCALE

6 301.7 HEL

16

88-97
CAP

2 14.6
HEL

88-97
CAP

3 89.7
HEL

588

97-98
86-95
CAP
4 8.1
HEL

35
42 96
86-95
CAP 97
10A

530
Rancho
Dale

96.2
88-97
CAP
E

88-97
CAP
10C

88-97
CAP

11 8.8
HEL

1 108.8 HEL

7.8 97
87-96
CAP
1B

87-96 97
CAP

10

42 12.5
HEL
88-97
CAP
13 2.8

10
HEL

8.8
87-96 97
CAP
5A

7 4.6
CAP
10B

97-98
CAP
3.1
HEL

2503-2
November 1996

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2303-2

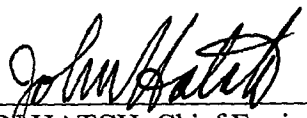
(1) Velda Ramser, Presho, SD made Application No. 2303-2, January 27, 1994 for a water permit to impound 72 acre feet of water from Mill Iron Creek and runoff, by reconstruction of a dam located in Lyman County, South Dakota for fish and wildlife propagation purposes. Permit No. 2303-2, with a priority date of January 27, 1994 was approved June 6, 1994 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 6, 1999 and for the application to beneficial use of said water on or before June 6, 2003.

On May 22, 1998, Water Permit No. 2303-2 was transferred from Velda Ramser to Dakota Outback.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the dam with a storage capacity of 72 acre feet and is entitled to sufficient water annually to maintain the water level at the outlet elevation of 1788.0 feet mean sea level. The location of the storage dam is in the N ½ SE ¼ Section 35, T104N, R77W (spillway is 950'W and 2450'N of the SE corner of Section 35, T104N, R77W).

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

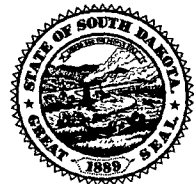
(4) Pursuant to South Dakota Water Law 46-5-30.1 Dakota Outback, % Paul Barber, 3315 Flint Dr., Rapid City, SD 57702 the holder and/or owner of Water Permit No. 2303-2 is issued a license to impound water from Mill Iron Creek and runoff in a 72 acre feet storage dam, and is entitled to sufficient water annually to maintain the water level at the outlet elevation of 1788.0 feet mean sea level. The location of the storage dam is specified in (2) of this license and retains a priority date of January 27, 1994. The water is used for the purpose of fish and wildlife propagation. This license is subject to any limitations or qualifications listed in Water Permit No. 2303-2 and subject to South Dakota State Law.



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

JUN 29 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 29 1998

2303-2

Dakota Outback
%Paul Barber
3315 Flint Dr.
Rapid City, SD 57702

Dear Mr. Barber:

Enclosed is Water License No. 2303-2, Receipt No. 415362 for \$2.50 and Receipt No. 415363 for \$50.00 which was assessed for the transfer of ownership, and an investigation and issuance of the license. Water License No. 2303-2 is the final document which completes the process of obtaining a water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

gm
enclosures

2639-2

McMath, Genny

From: Gronlund, Eric
Sent: Tuesday, January 20, 2009 8:53 AM
To: Schaal, Tim; McMath, Genny; Schlaak, Karen
Subject: Appl No. 2639-2, Robert Cannon

This application is being public noticed for a dam on Mill Iron Creek in Lyman Cty.

Received a call from Paul Barber. He is the owner of the downstream water right No. 2639-2. He said until this last year his dam has not filled and there is a dugout between his dam and the proposed dam that hasn't even filled for 5 - 6 years. He indicated the drainage area is not very big. I looked at the report and explained what the annual yield can be expected to be. I expect Mr. Barber to file a petition opposing the application. Tim - based on your previous discussion with Tim Olson, I don't think getting a petition from Mr. Barber is any surprise.

Mr. Barber who is the holder of WR No. 2303-2 said we have the wrong address for him. It is now 3209 Boardmoor Drive, Rapid City SD 57702.

In addition the water right is in the name of Dakota Outback - however they had to change this name because someone already has that LLC. They now are (if I got this right "Dakota Dagoba LLC". I said I didn't know if that would require a formal transfer to make that change - I told him if so Genny would send him the necessary transfer paperwork. In thinking about it I suppose a formal transfer is warranted as this is a change and not a simple correction of an address.

Eric Gronlund
Water Rights Program, DENR
Phone: (605) 773-3352
Fax: (605) 773-4068
Email: eric.gronlund@state.sd.us
Web: www.state.sd.us/denr



**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 22, 2009

2303-2

Paul Barber
3209 Boardmoor Dr
Rapid City SD 57702

Dear Mr. Barber:

I am writing in follow-up to your phone conversation with Eric Gronlund with our program concerning Water Right No. 2303-2, listed in the name of Dakota Outback.

It is my understanding that the name needs to be changed. Even though its just a name change and not really an ownership change, a signed transfer form is still required. I am enclosing a partially completed Notice of Transfer of Ownership form for use in making the change. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

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

RECEIVED

JAN 26 2009

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2303-2

Date: _____

I/We request that Water Right No. 2303-2

formerly owned by: Dakota Outback

be transferred to: (name & address) Dakota Dakota LLC

3209 Broadway Drive

Rapid City, SD 57102 Telephone No. 605-341-1485

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

Storage dam located in the N ½ SE ¼ Section 35, T104N, R77W

I/We understand that the validity of Water Right No. 2303-2 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 required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Dakota Dakota LLC, the new owner, certify that the above information is true and correct.
Ruf. BARBER

Dakota Dakota LLC
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 5, 2009

2303-2

Paul Barber
3209 Boardmoor Dr
Rapid City SD 57702

Dear Mr. Barber:

The "Notice of Transfer of Ownership" form you submitted for filing an ownership/name change for Water Right No. 2303-2 was received on January 26th. The form was completed however can not be filed for record without the required fee of \$2.50. My first letter may not have been clear with respect to payment of the fee.

Please remit a total of \$2.50 at your earliest convenience. The check or money order for the fee can be made payable to the Water Rights Program.

As soon as the filing fee is received, Water Right No. 2303-2 will be transferred from Dakota Outback to Dakota Dagoba LLC. 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
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/18, 20 09

RECEIVED OF Paul Barher 3209 Broadmoor Dr Rapid City SD 57702

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	2	50
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 _____ 2303-2		
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	2 50

No.

04033

By

Michael Erbe

Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 2009

2303-2

Paul Barber
Dakota Dagoba LLC
3209 Boardmoor Dr
Rapid City SD 57702

Dear Mr. Barber:

The transfer of ownership for Water Right No. 2303-2 has been completed. The water right formerly listed in the name of Dakota Outback is now listed in the name of Dakota Dagoba LLC.

Enclosed is your Receipt No. 04033 in the amount of \$2.50 which you paid for filing the ownership change.

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

This document prepared by:
Office of School and Public Lands
500 E Capitol Avenue
Pierre, SD 57501
(605) 773-3303

QUIT CLAIM DEED



STATE OF

SOUTH DAKOTA

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

The State of South Dakota, Grantor, acting by and through its Governor and Commissioner of School and Public Lands, of Pierre, Hughes County, South Dakota, for and in consideration of One no/100 (\$1.00) DOLLAR GRANTS AND CONVEYS TO DAKOTA DAGOBA, LLC, Grantee, of 2417 Holiday Lane, Rapid City, South Dakota 57702, the following described easement in the County of Lyman in the State of South Dakota, described as follows, to wit:

That portion of the NE 1/4 of Section 35, Township 104 North, Range 77, West of the 5th Principal Meridian commonly known as Sweeney Dam and a strip of land Twelve (12) feet in width lying above the high-water contour of the dam.

**EXEMPT FROM
TRANSFER FEE
43-4-22 (2)**

In WITNESS WHEREOF, the State of South Dakota has caused this Deed to be executed in the name of the State by the Governor and attested by the Commissioner of School and Public Lands under his seal of office this 25th day of March, A.D., 2016.

STATE OF SOUTH DAKOTA

By: Dennis Daugaard
Dennis Daugaard, Governor

Attest: Ryan Brunner
Ryan Brunner, Commissioner
of School and Public Lands

STATE OF SOUTH DAKOTA

}

COUNTY OF HUGHES

On this 25 day of March, 2016, before me, the undersigned Notary Public, personally appeared DENNIS DAUGAARD, who acknowledged himself to be the Governor of the State of South Dakota, and who acknowledged that he had the authorization of the Office to execute the foregoing instrument for the Office, and that he executed the foregoing instrument for the purposes therein contained by signing the same in my presence for and on behalf of the Office and the State of South Dakota.

Name: Doreen Kayser
Notary Public

My Commission Expires: July 5, 2017

(NOTARY SEAL)

STATE OF SOUTH DAKOTA

}

COUNTY OF HUGHES

On this 28th day of March, 2016, before me, the undersigned Notary Public, personally appeared RYAN BRUNNER, who acknowledged himself to be the South Dakota Commissioner of School and Public Lands, and who acknowledged that he had the authorization of the Office to execute the foregoing instrument for the Office, and that he executed the foregoing instrument for the purposes therein contained by signing the same in my presence for and on behalf of the Office and the State of South Dakota.

Name: Renee S. Knapp
Notary Public

My Commission Expires: 11-5-2019

(NOTARY SEAL)

This document prepared by:
Michael J. Cornelison
Office of School and Public Lands
500 E Capitol Avenue
Pierre, SD 57501
(605) 773-3303

CONDITIONAL RELEASE AND ABANDONMENT
AGREEMENT

AGREEMENT made and entered into this 25th day of March, 2016, by and between the State of South Dakota, acting through its Commissioner of School and Public Lands, State Capitol Building, 500 East Capitol Avenue, Pierre, SD 57501-5070 (the "State") and DAGOBA, LLC, Grantee, of 2417 Holiday Lane, Rapid City, South Dakota 57702 (the "Landowner").

WITNESSETH:

WHEREAS, the State acquired an easement dated December 5, 1933 from P.J. Sweeney, to build and construct an artificial lake including the right to flood certain lands as herein described in Lyman County, South Dakota; and

WHEREAS, the State has determined that the costs of maintaining a dam that lacks public access exceeds the benefit of the artificial lake to the State, and has determined that this release and abandonment agreement will not jeopardize or impair the interests of the State; and

WHEREAS, the Landowner is the successor in interest and the legal title holder of the real property which is subject to the easement and the artificial lake, and as such has the reversionary rights in the easement upon release and abandonment of the lake project by the State; and

WHEREAS, the Landowner desires the continuance of the lake known as Sweeney Dam; and

WHEREAS, the Landowner agrees that by entering into this Agreement the Landowner accepts and assumes the provisions of the Wildlife Management Agreement and Easement attached hereto as Exhibit A and incorporated by this reference as if fully set forth herein.

NOW THEREFORE IT IS MUTUALLY AGREED AS FOLLOWS:

1. Subject to the terms of this Agreement, the State agrees to release and quit claim all right and interest it acquired pursuant to the easement of record filed on the 5th day of December, 1933 and recorded in Book 10 of Miscellaneous at page 301, Office of the Register of Deeds, Lyman County, South Dakota, in and to the following described real estate in the County of Lyman, State of South Dakota, to wit:

That portion of the NE 1/4 of Section 35, Township 104 North, Range 77, West of the 5th Principal Meridian commonly known as Sweeney Dam and a strip of land Twelve (12) feet in width lying above the high-water contour of the dam.

2. The parties agree that the purpose of this Agreement is to abandon, release and quit claim to Landowner the interest that the State acquired pursuant to the above-described easement while maintaining the Wildlife Management Agreement and Easement attached hereto as Exhibit A.

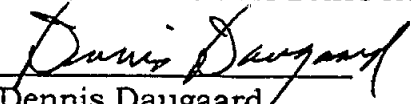
3. Landowner agrees to accept all responsibility for the future operation, maintenance and repair of Sweeney Dam, and agrees to indemnify and hold the State of South Dakota, its officers, agents and employees, harmless from and against any and all actions, suits, damages, liability or other proceedings that may arise as the result of the operation, maintenance, and repair of Sweeney Dam, from and after the date of this Agreement, excluding only claims arising pursuant to actions or obligations of the South Dakota Department of Game, Fish, and Parks in the performance of the Wildlife Management Agreement and Easement described in Exhibit A. It is also specifically understood that by entering this Agreement the State does not waive any defenses or immunities to which it would otherwise be entitled.

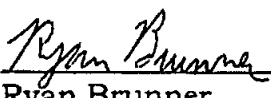
4. Landowner agrees it is bound by the terms of this Agreement and that by signing the same, Landowner accepts and assumes all of the terms and conditions set forth in the Wildlife Management Agreement and Easement attached hereto as Exhibit A.

5. Subject to the terms of this Agreement, the State agrees to execute a quit claim of easement and record the same with the Lyman County Register of Deeds.

IN WITNESS WHEREOF, the parties signify their agreement effective the date above first written by the signatures affixed below.

STATE OF SOUTH DAKOTA


Dennis Daugaard
Governor


Ryan Brunner
Commissioner

LANDOWNER

DAKOTA DAGOBA LLC

The GFP will have the right to alter the above described land (with approval of the Wildlife Cooperator(s)) in ways consistent with wildlife management. Specific work will be planned and completed as shown in Exhibit A.

A change in ownership shall not change the terms of this Agreement. The Agreement and terms shall be in effect on the described land for the period of the Agreement. The Wildlife Cooperator(s) will notify the GFP of planned or pending changes in ownership. The Wildlife Cooperator(s) agree not to allow any agricultural use of the tract, such as livestock grazing or haying, unless included as part of this or an amended Agreement.

At the end of the period of this Agreement, the Wildlife Cooperator(s) assume full and complete responsibility for all wildlife habitat developments made during this Agreement on the described land. There shall be no obligation to the Wildlife Cooperator(s), GFP, or any of its agents or assignees following the end of the period of this Agreement.

The Wildlife Cooperator(s) shall be responsible for and assist GF&P in securing any necessary permits. Technical advice and support will be provided by GFP and participating agencies in permit application.

The GFP is prohibited by Law from making obligations that exceed available funds and, therefore, any wildlife habitat development work described in this Agreement is contingent upon procurement of funding. GFP will notify the Wildlife Cooperator(s) in the event that no funds are available for completing the wildlife habitat work prescribed in this Agreement.

The Wildlife Cooperator(s) guarantee ownership of the above described land and warrant that there are no outstanding rights which will interfere with this Agreement.

PREPARED FOR:

South Dakota Department
of Game, Fish and Parks

By: Don McCrea *Don McCrea*

its Wetlands Habitat Biologist

523 E. Capitol
Pierre, SD 57501

VELDA RAMSER

Wildlife Cooperator

X Velda Ramser
Wildlife Cooperator

94-569

WILDLIFE MANAGEMENT AGREEMENT AND EASEMENT

This Agreement, dated December 1, 1994, is between Velda Ramser of 306 Elm Street Presho, SD, hereinafter called the Wildlife Cooperator(s), and the South Dakota Department of Game, Fish and Parks, 523 E. Capitol Avenue Pierre, South Dakota 57501, hereinafter called GFP.

Wildlife Cooperator and GFP, for adequate and mutual consideration, hereby agree as follows:

Wildlife Cooperator hereby grants, bargains and conveys unto GFP an Easement to and certain wildlife management rights, all of which are described herein, on lands owned by them in LYMAN, County, South Dakota, described as follows:

N1 SE1 of SECTION 35 T104N R77W, LYMAN COUNTY SOUTH DAKOTA
and all water impounded by this structure located
in S35 T104N R77W
(see attachment).

The Wildlife Cooperator, in signing this Agreement and Easement, join as participants in a wildlife management program and grant to GFP, its agents, or assignees the authority and Easement necessary to construct, complete and maintain the wildlife habitat developments described in the attached Special Provisions (see Exhibit A) upon and over the above described property. In addition, the Wildlife Cooperator grants and conveys to GFP, its agents, or assignees an Easement to travel, transgress and go upon land described as N1 of the SE1, S 35, T104N, R77W to effectuate the Wildlife Management Program.

The terms of this Agreement and Easement will be for 30 years beginning December 1, 1994, and ending December 1, 2024.

This Agreement and Easement may only be modified by the written consent of both parties. It may also be terminated in writing by current landowner, and if so terminated, current landowner will reimburse the GFP for the cost of all wildlife habitat developments placed thereon. If this Agreement is terminated in writing by the GFP, then the GFP may, at its option, remove any wildlife developments placed on the land.

At the end of the term of this Agreement, the wildlife habitat development will become the property of the Wildlife Cooperator(s).

The Wildlife Cooperator(s) are responsible for noxious weed control in accordance with South Dakota Law.

The GFP does not assume jurisdiction over the premises by this Agreement. The Wildlife Cooperator(s) retain all rights to control trespass and retain all responsibility for taxes, assessments, and damage claims. The GFP, its agents, or assignees reserve the right to enter the above described land at reasonable times for wildlife habitat development and management purposes and to inspect completed work.

EXHIBIT A

PROJECT PROPOSAL

SD-0132-001

VELDA RAMSER IMPOUNDMENT

SUBMITTED BY: South Dakota Department of Game, Fish and Parks (GFP), Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501-3182

Contact: Don McCrea, Wetlands Habitat Biologist, (605) 773-3658

PROJECT DESCRIPTION:

Purpose: To reconstruct a breached dam and restore a 23-acre wetland. The construction will include embankment repair and the installation of a water control structure that will serve as a primary spillway.

Location: Ten miles south and 2 miles east of Presho, Lyman County, South Dakota; LAT: 43° 48' 10" N and LONG: 100° 00' 20" W; T 104 N, R 77 W, Section 35

Ownership & Management Agency: The site is owned by Ms. Velda Ramser and managed under a Wildlife Management Agreement with the GFP.

Land Use History: The site is located in west central South Dakota in an area where both livestock and small grains are the major economy. There are numerous tracts of Conservation Reserve Program (CRP) acres in the county and that is the primary upland cover adjacent to the wetland site. There are 4 other wetlands with about 5 surface acres near the site. This wetland has been dry since the 1960's when the emergency spillway failed.

Need: The upland area adjacent to the project site currently provide excellent nesting cover for waterfowl and upland game birds. This restored wetland will provide needed wetland habitat for breeding pairs and broods of waterfowl.

Management Plans: The restored wetland will receive water from natural runoff. Periodic drawdowns may be necessary to control emergent vegetation and to maintain the hemi-marsh conditions desirable for waterfowl.

Monitoring & Evaluation: Field observations of the vegetation and waterfowl counts will be made at appropriate times during the year and management adjustments made to maximize waterfowl production.

WILDLIFE VALUES:

Waterfowl: Mallards, pintails, gadwalls, blue-winged teal and Canada geese will use the project for production.

Upland Game: Ring-necked pheasant, sharp-tailed grouse and gray partridge are present.

Big Game: Pronghorn and white-tailed deer are common in the area.

TERM OF AGREEMENT: 50 years

State of South Dakota)
County of Lyman) ss.

On this the 9 day of Nov, 1994 before me, the undersigned officer personally appeared Verde Ramon known to me to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

Dennis Danner
Notary Public
My Comm Exp 2-24-99

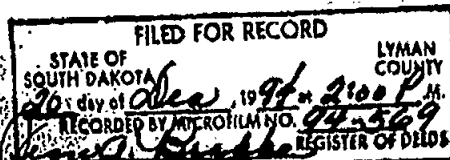
State of South Dakota)
County of Lyman) ss.

On this the 1st day of November, 1994, before me, the undersigned officer personally appeared Don McLean who acknowledged himself to be Wildlife Rehabilitation Biologist of the South Dakota Department of Game, Fish and Parks, known to me to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

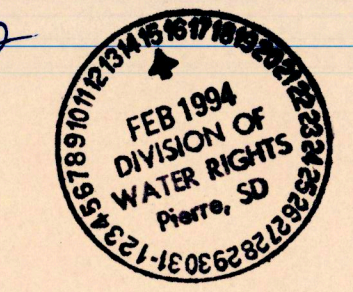
In Witness Whereof, I hereunto set my hand and official seal.

[Signature]
Notary Public

My Commission Expires on July 18, 2001



2303-2

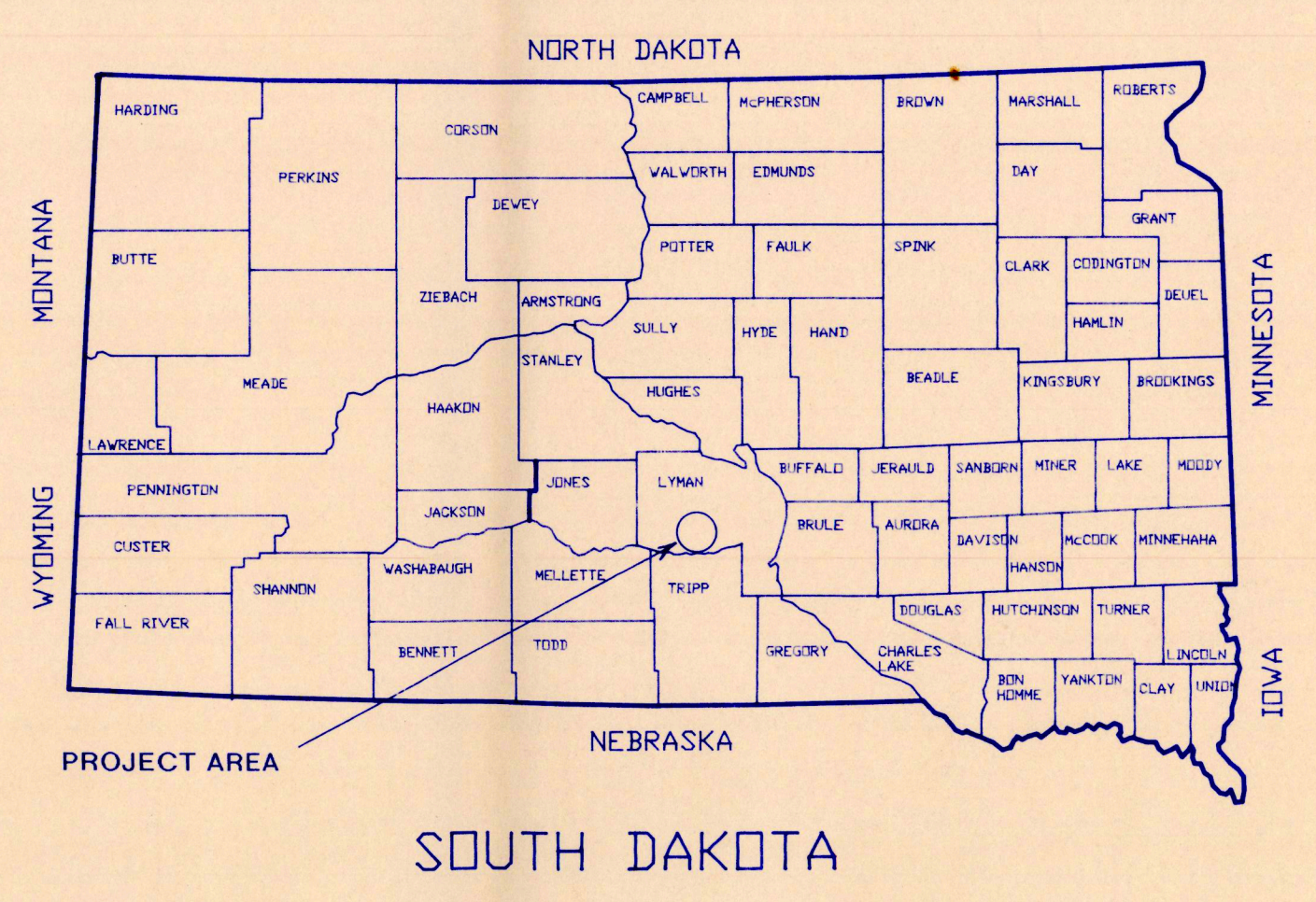


DUCKS UNLIMITED

PROJECT

VELDA RAMSER IMPOUNDMENT SECTION 35, T 104 N, R 77 W, LYMAN CO., S.D.

IN COOPERATION WITH
S.D. DEPT. OF GAME, FISH & PARKS



SPECIFICATIONS

GENERAL CONDITIONS	101
MOBILIZATION	201
SITE PREPARATION	202
EXCAVATION	203
EMBANKMENT CONSTRUCTION	204
WATER	205
WATER CONTROL STRUCTURE INSTALLATION	206
WATER CONTROL STRUCTURE & CULVERT APPURTENANCES	206A
CULVERT INSTALLATION	207
CAST-IN-PLACE REINFORCED CONCRETE	208
RIPRAP PLACEMENT	209

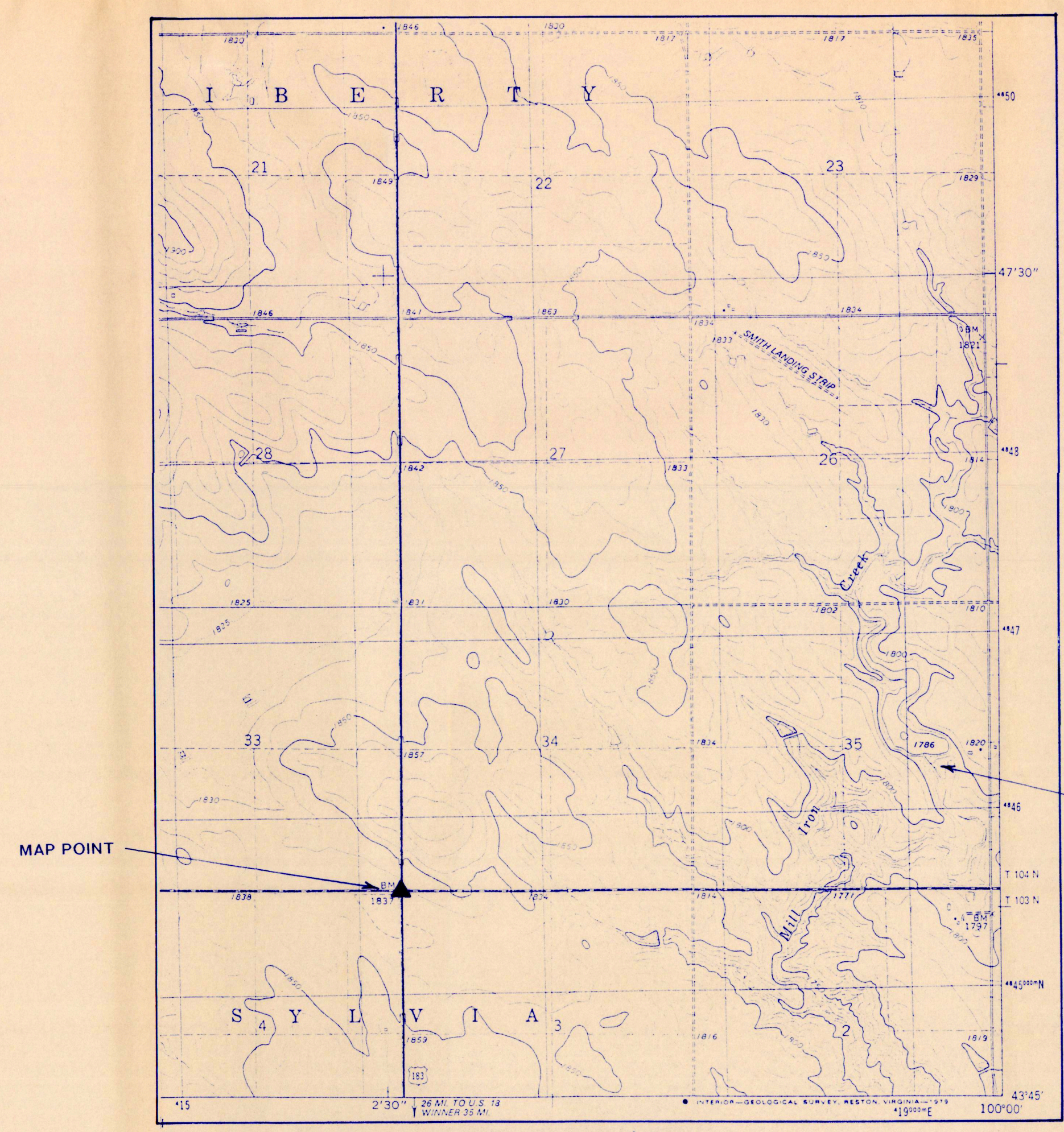
PLAN INDEX

VICINITY MAP	1
PROJECT TOPOGRAPHY	2
BREACH EXCAVATION PLAN	3
EMBANKMENT CONSTRUCTION PLAN	4
STRUCTURE PLAN & PROFILE	5
STRUCTURE DETAILS	6
SOILS INFORMATION	7

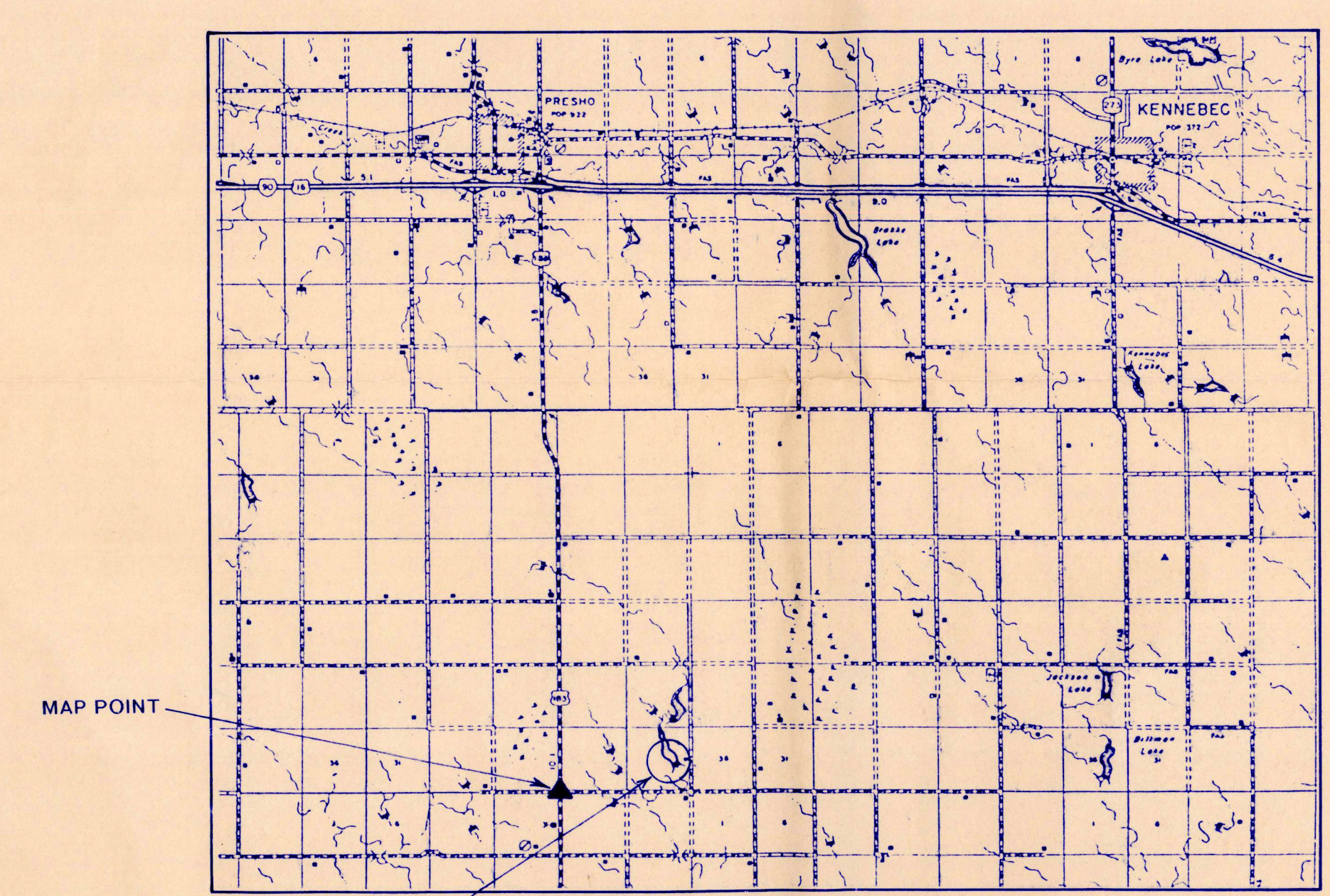
ESTIMATED QUANTITIES

MOBILIZATION	1 L.S.
SITE PREPARATION	
EXISTING EMBANKMENT (EXCLUDING BREACH)	130 C.Y.-P
EMERGENCY SPILLWAY DIKE	137 C.Y.-P
EXCAVATION	
BREACH EXCAVATION	6047 C.Y.-P
EMERGENCY SPILLWAY	5820 C.Y.-P
EMBANKMENT CONSTRUCTION	
EMBANKMENT	7014 C.Y.-INC.
EMERGENCY SPILLWAY DIKE	786 C.Y.-INC.
WATER	120 M-GAL.
WATER CONTROL STRUCTURE	1 EA.
CULVERT INSTALLATION	
60"Ø CMP	99 L.F.
6"Ø PVC	18 L.F.
ROCK RIPRAP	
CLASS I	21 C.Y.-P
CLASS II	50 C.Y.-P

*EMBANKMENT QUANTITIES INCLUDE 5% SHRINKAGE



VICINITY MAP
SCALE: 1"=2000'

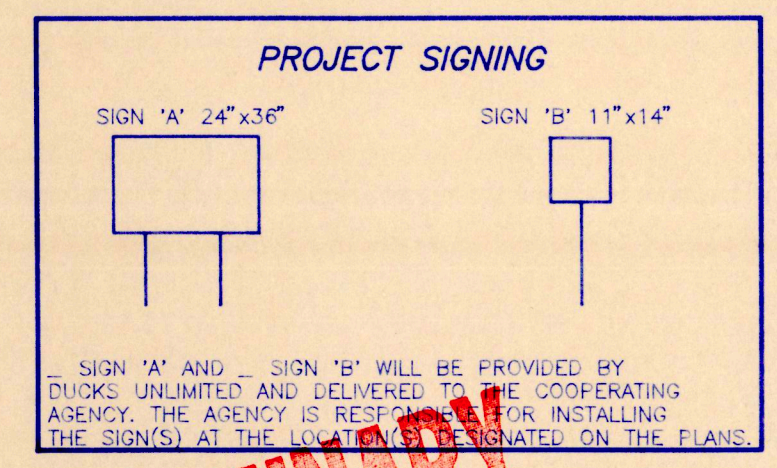


MAP POINT

PROJECT LOCATION

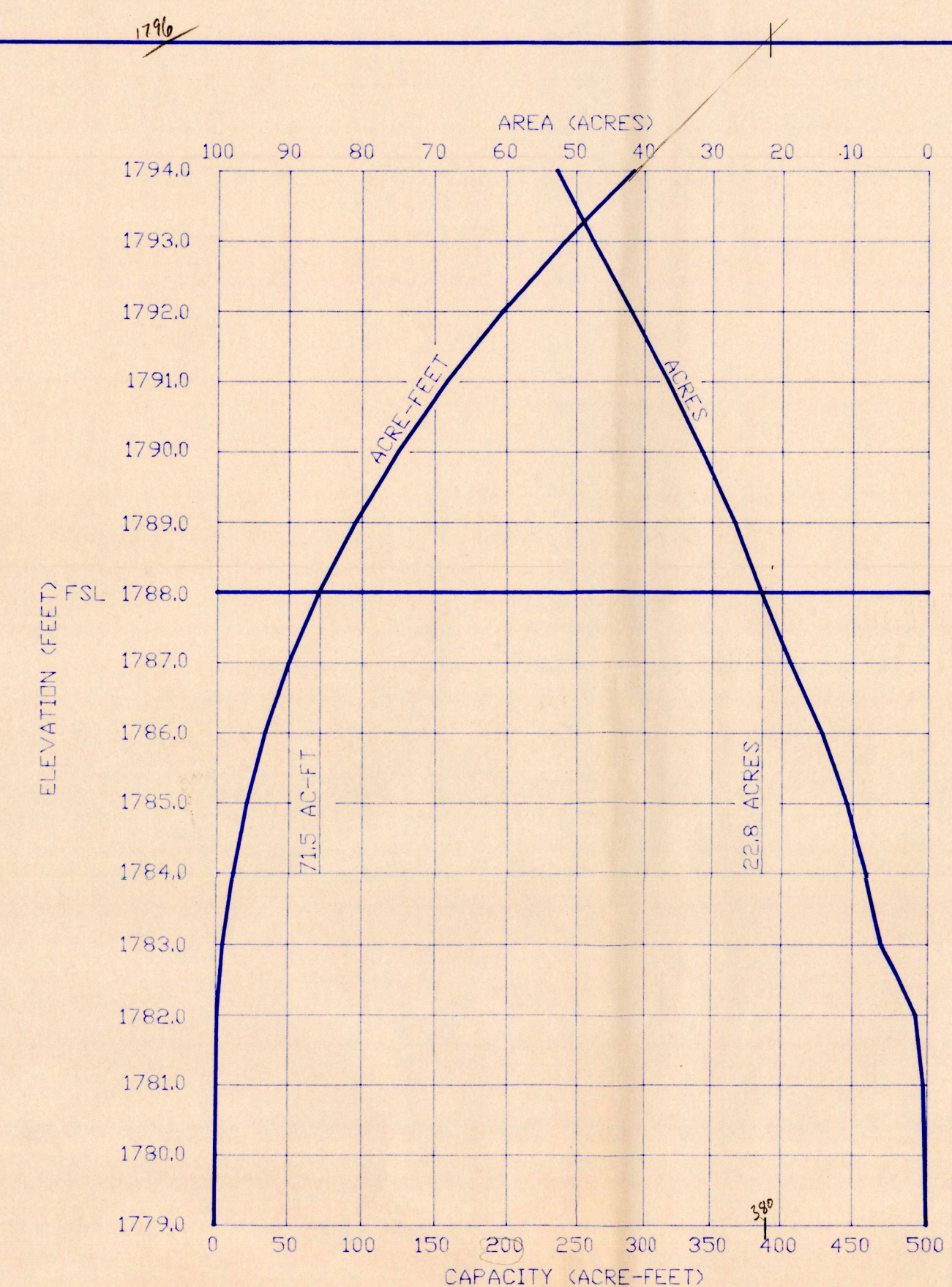
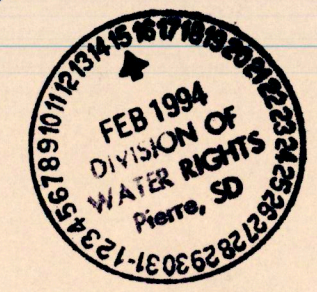
LYMAN COUNTY

AGENCY CONTACT:
DON MCCREA
SD GAME, FISH & PARKS
PIERRE, SD
605/773-3658



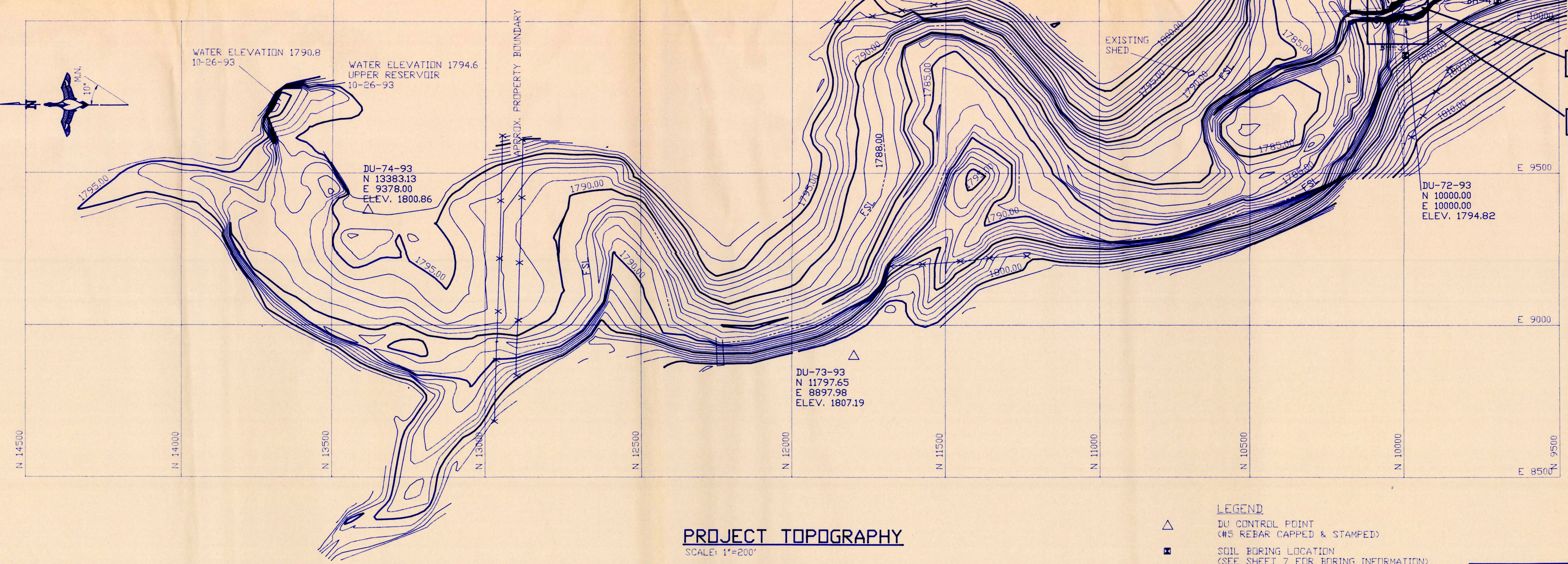
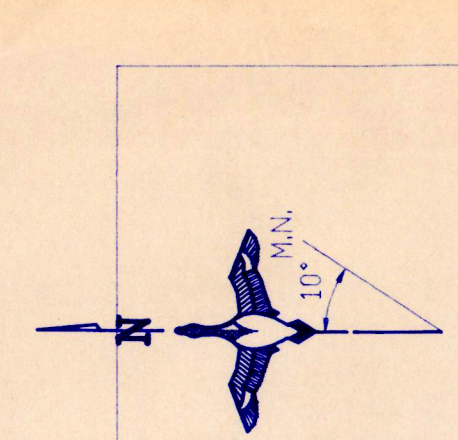
	PROJECT NO. 2303-2	DESIGNED BY: R.C.S.
	GREAT PLAINS REGIONAL OFFICE	DRAWN BY: J.E.
	DATE: 2-7-94	SHEET NO. 1 OF 7
	APPROVED BY: [Signature]	CHECKED BY: [Signature]

23032



FULL SERVICE LEVEL (FSL) = 1788.0
AREA (ACRES) @ FSL = 32.8 ACRES
CAPACITY (ACRE-FEET) @ FSL = 71.5 ACRE-FEET

AREA-CAPACITY CURVE



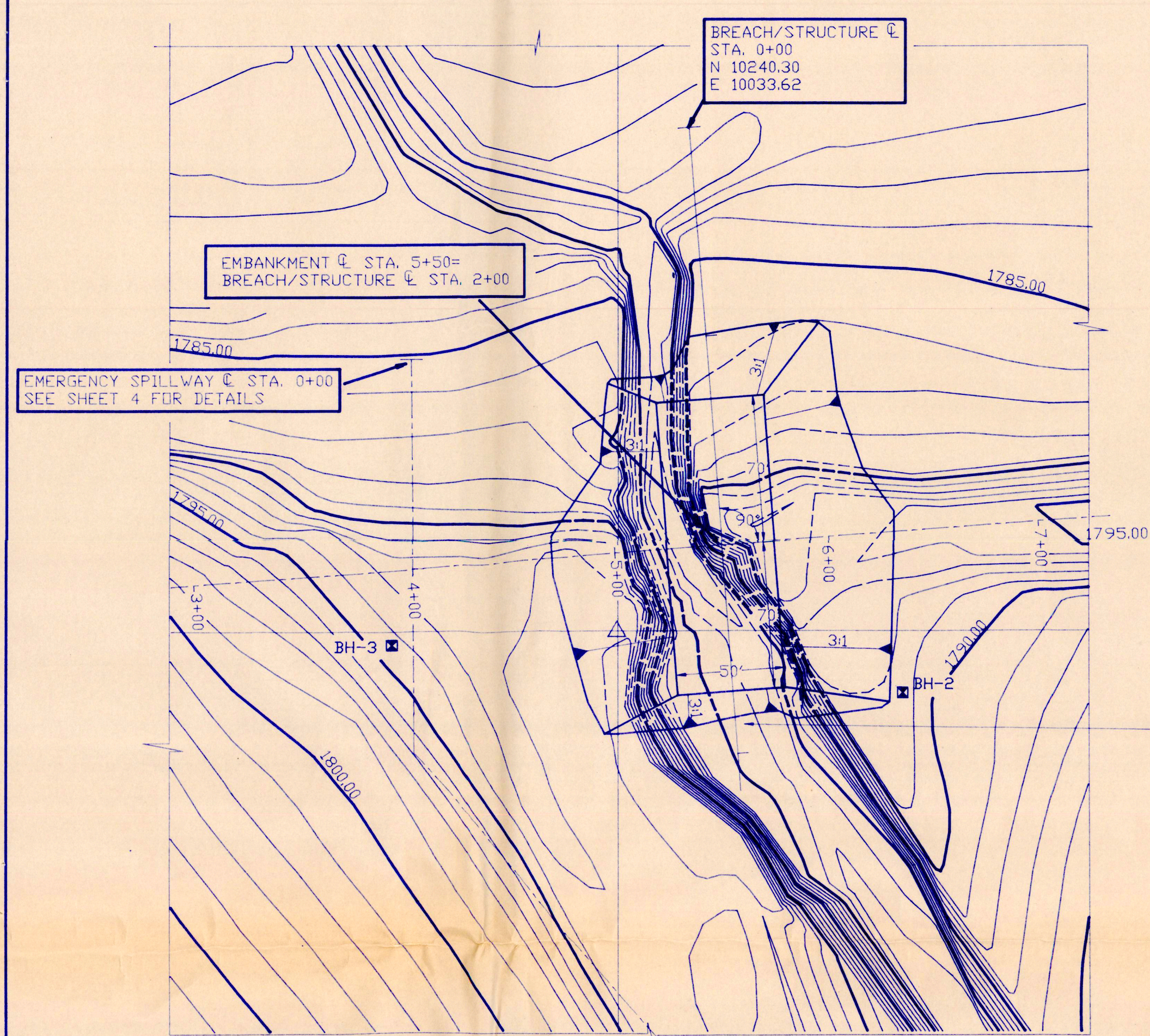
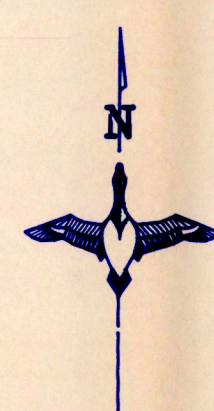
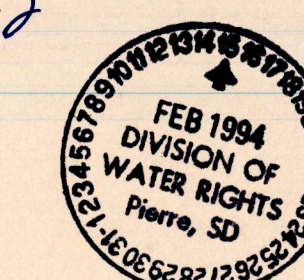
PROJECT TOPOGRAPHY
SCALE: 1"=200'

- LEGEND
- △ DU CONTROL POINT (#5 REBAR CAPPED & STAMPED)
 - SOIL BORING LOCATION (SEE SHEET 7 FOR BORING INFORMATION)
 - OVERHEAD POWERPOLE
 - X — X — EXISTING FENCELINE

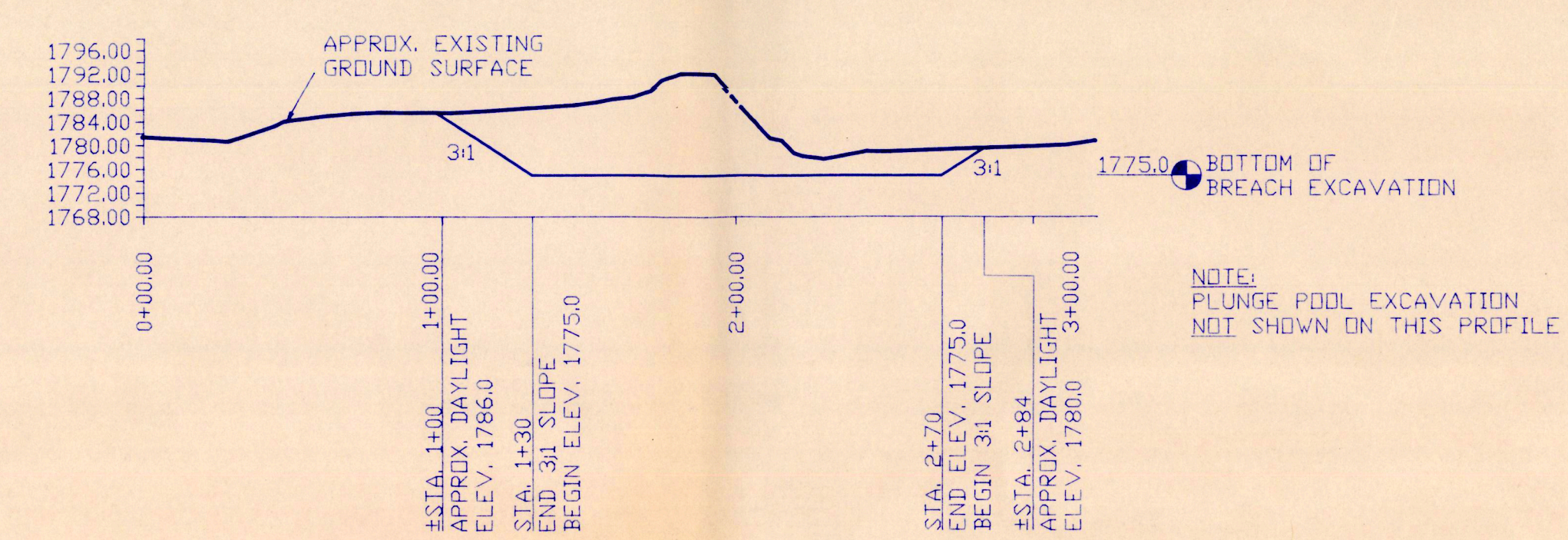
	PROJECT NO. ST-23032	DESIGNED BY: R.C.S.
	VERDA POWER IMP.	DRAWN BY: GJ
GREAT PLAINS REGIONAL OFFICE	PROJECT TOPOGRAPHY	SURVEYED BY: GJ
DATE: 2-7-94	SHEET NO. 2 OF 7	APPROVED BY: [Signature]

VERTICAL CONTROL:
WAS ESTABLISHED FROM USGS B.M. "TT4MC 1948"
THE PUBLISHED ELEVATION FOR THIS B.M. IS 1796.808 FEET.
HORIZONTAL CONTROL:
LOCAL DU COORDINATES WITH A REFERENCE AZIMUTH TO
TRUE NORTH FROM A BRUNTON COMPASS WITH A 10° OF
MAGNETIC DECLINATION ACCOUNTED FOR.

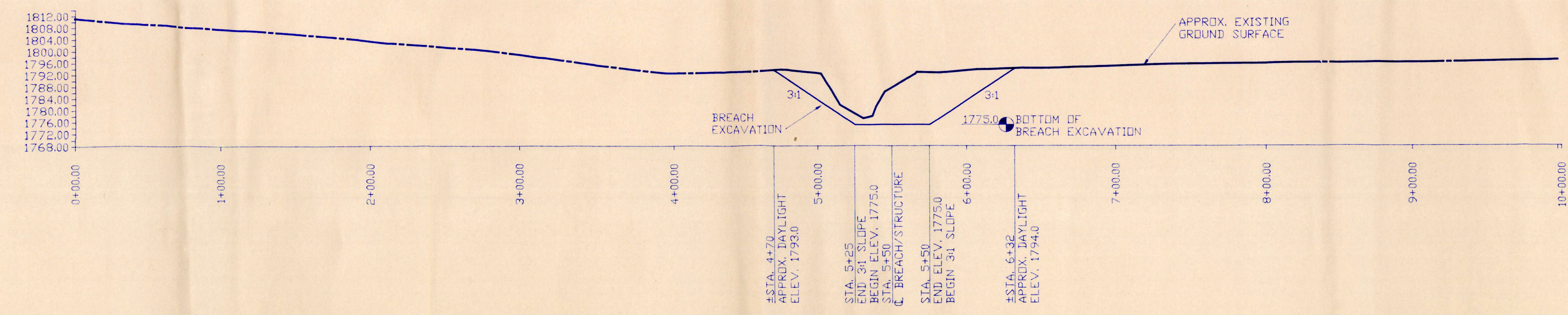
2303-2



BREACH EXCAVATION PLAN
SCALE: 1"=50'



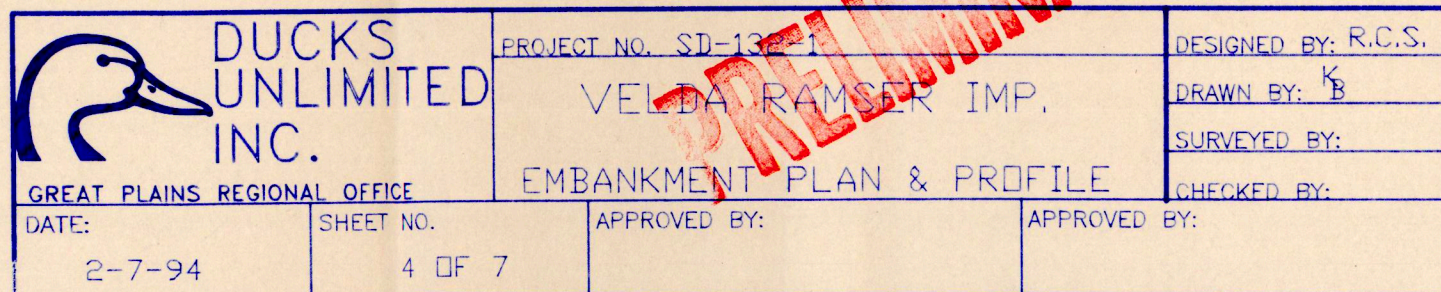
BREACH/STRUCTURE C PROFILE
NOT TO SCALE



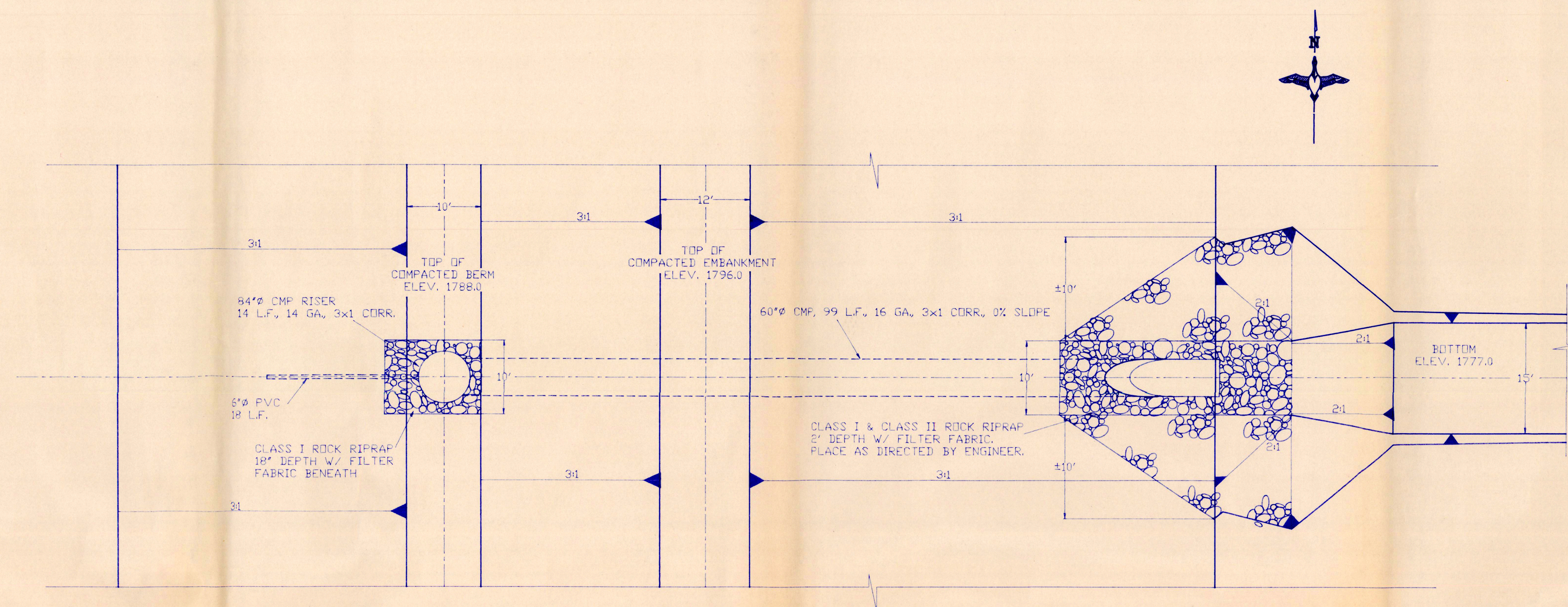
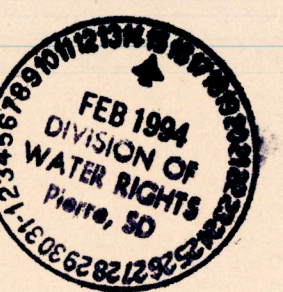
EMBANKMENT C PROFILE
NOT TO SCALE

	PROJECT NO. 2303-2	DESIGNED BY: R.C.S.
	VEON RAMSER IMP.	DRAWN BY: J
	BREACH PLAN & PROFILE	SURVEYED BY:
	DATE: 2-7-94	SHEET NO. 3 OF 7

PRELIMINARY

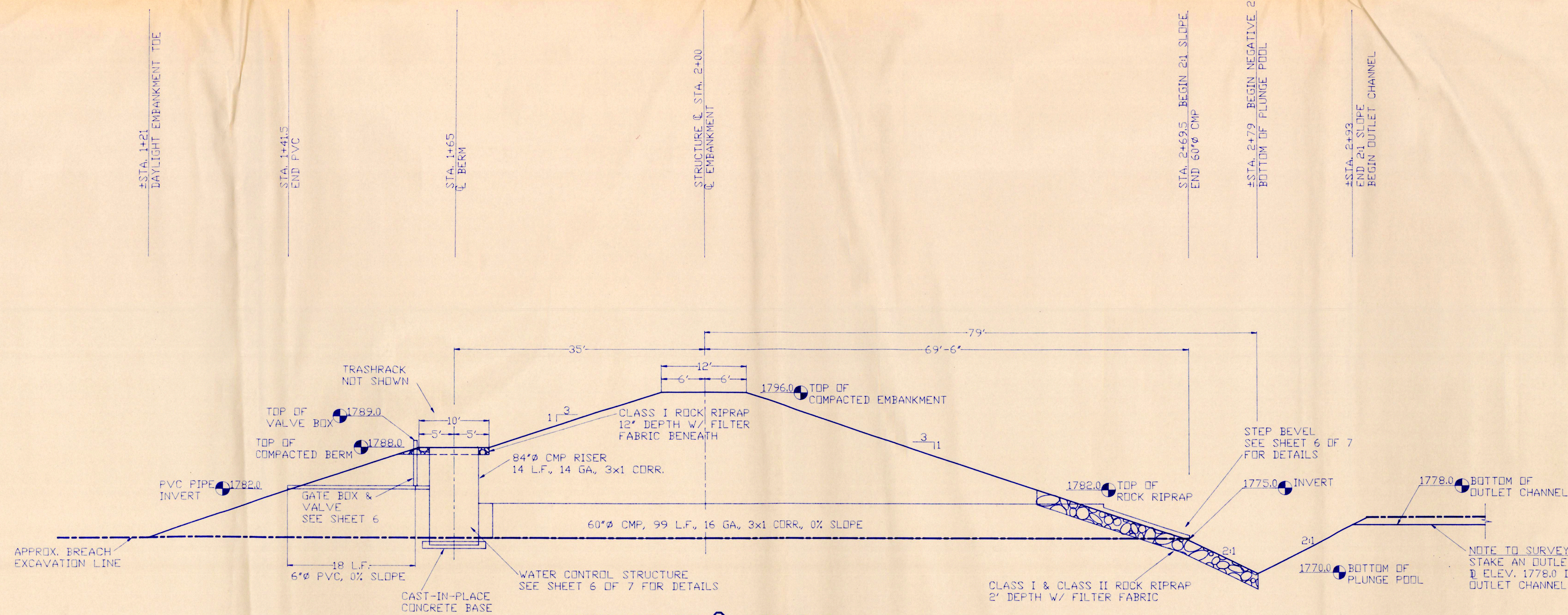


2303-2



ROCK RIPRAP QUANTITY
CLASS I 21 C.Y.-P
CLASS II 50 C.Y.-P
NOTE:
APPROXIMATELY 4 C.Y. OF CLASS I ROCK
IS REQUIRED ON THE BERM AT THE WATER
CONTROL STRUCTURE.

STRUCTURE PLAN
SCALE: 1"=10'

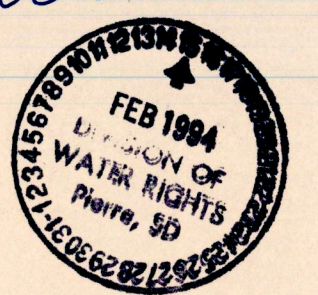


STRUCTURE & PROFILE
SCALE: 1"=10'-0" VERT. & HORIZ.

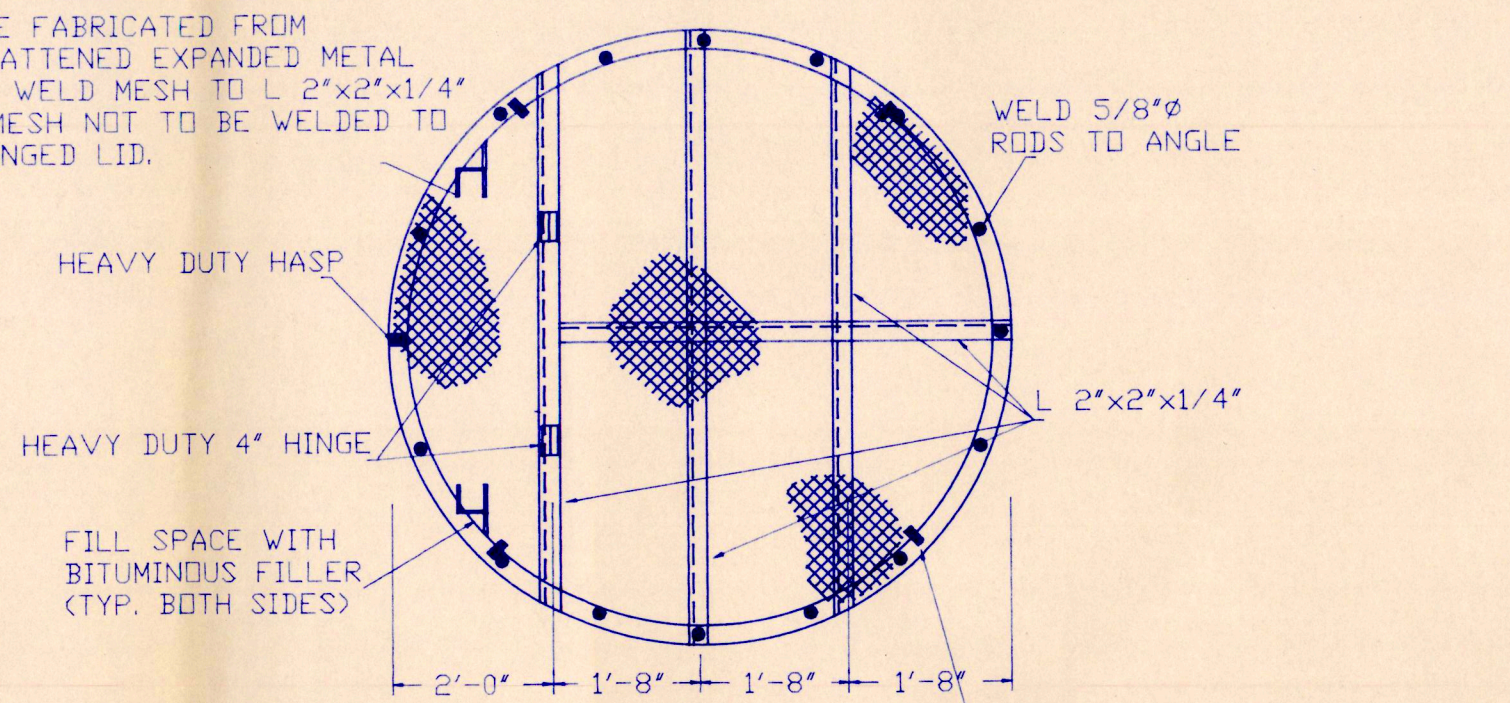
 GREAT PLAINS REGIONAL OFFICE DATE: 2-7-94	SHEET NO. 5 OF 7	PROJECT NO. 128-1 VEDIN RAMSER IMP. STRUCTURE PLAN & PROFILE APPROVED BY:	DESIGNED BY: R.C.S. DRAWN BY: B SURVEYED BY: CHECKED BY:

PRELIMINARY

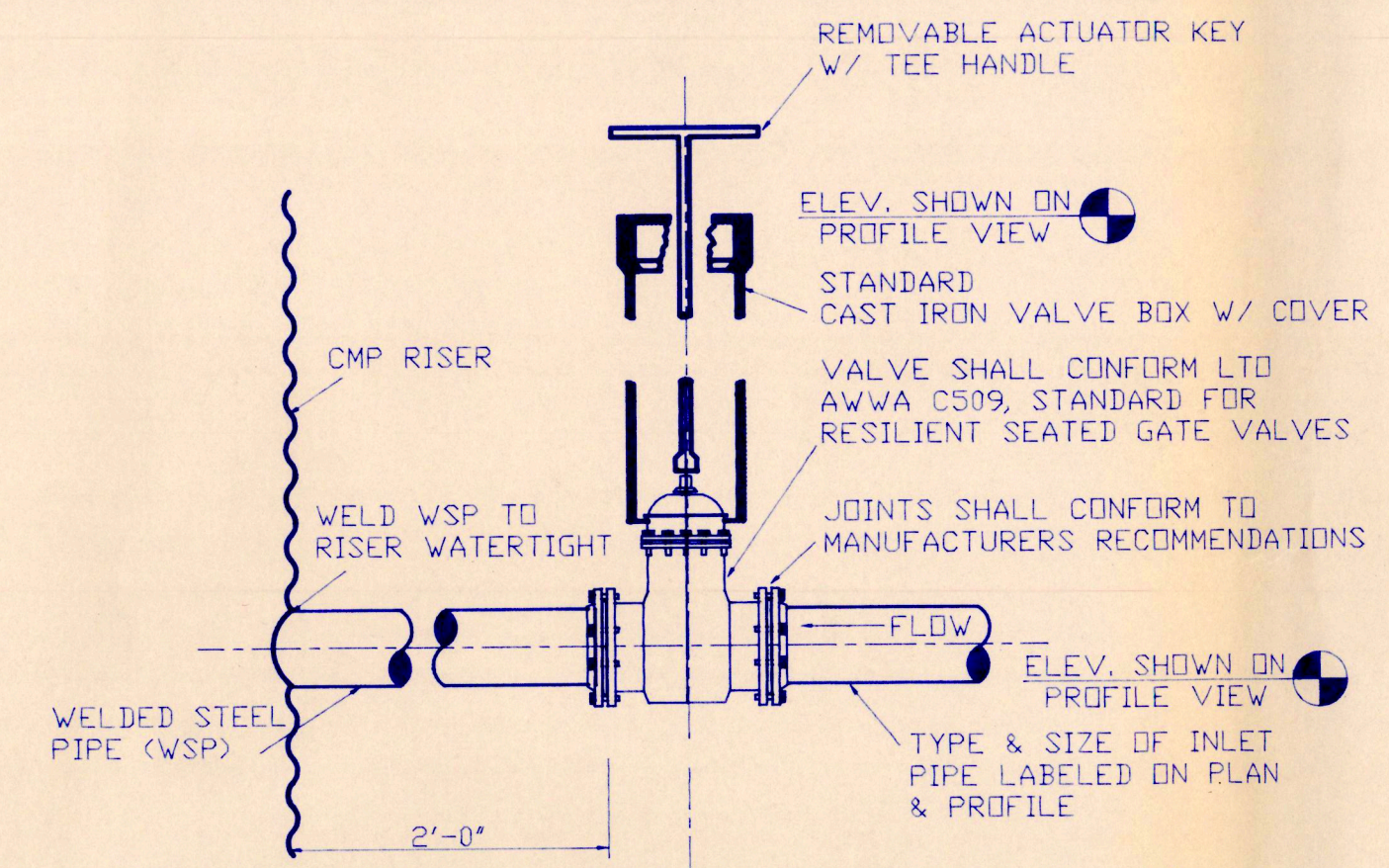
2303-2



COVER TO BE FABRICATED FROM 3/4" NON-FLATTENED EXPANDED METAL MESH. TACK WELD MESH TO L 2"x2"x1/4" @ 3' C-C. MESH NOT TO BE WELDED TO FRAME ON HINGED LID.

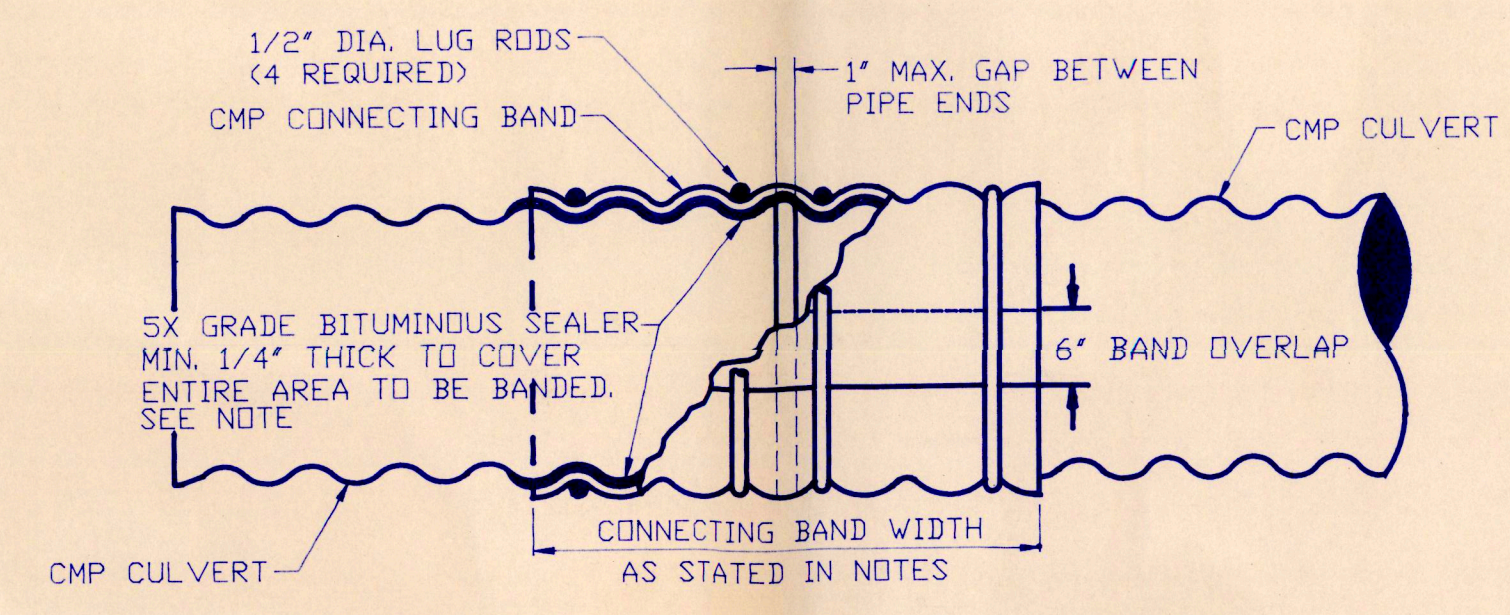


TRASHRACK DETAIL
NOT TO SCALE



DRAWDOWN VALVE DETAIL
NOT TO SCALE

NOTE: THE COST & INSTALLATION OF THE WELDED STEEL PIPE, VALVE, VALVE BOX & KEY SHALL BE CONSIDERED INCIDENTAL TO WATER CONTROL STRUCTURE INSTALLATION.

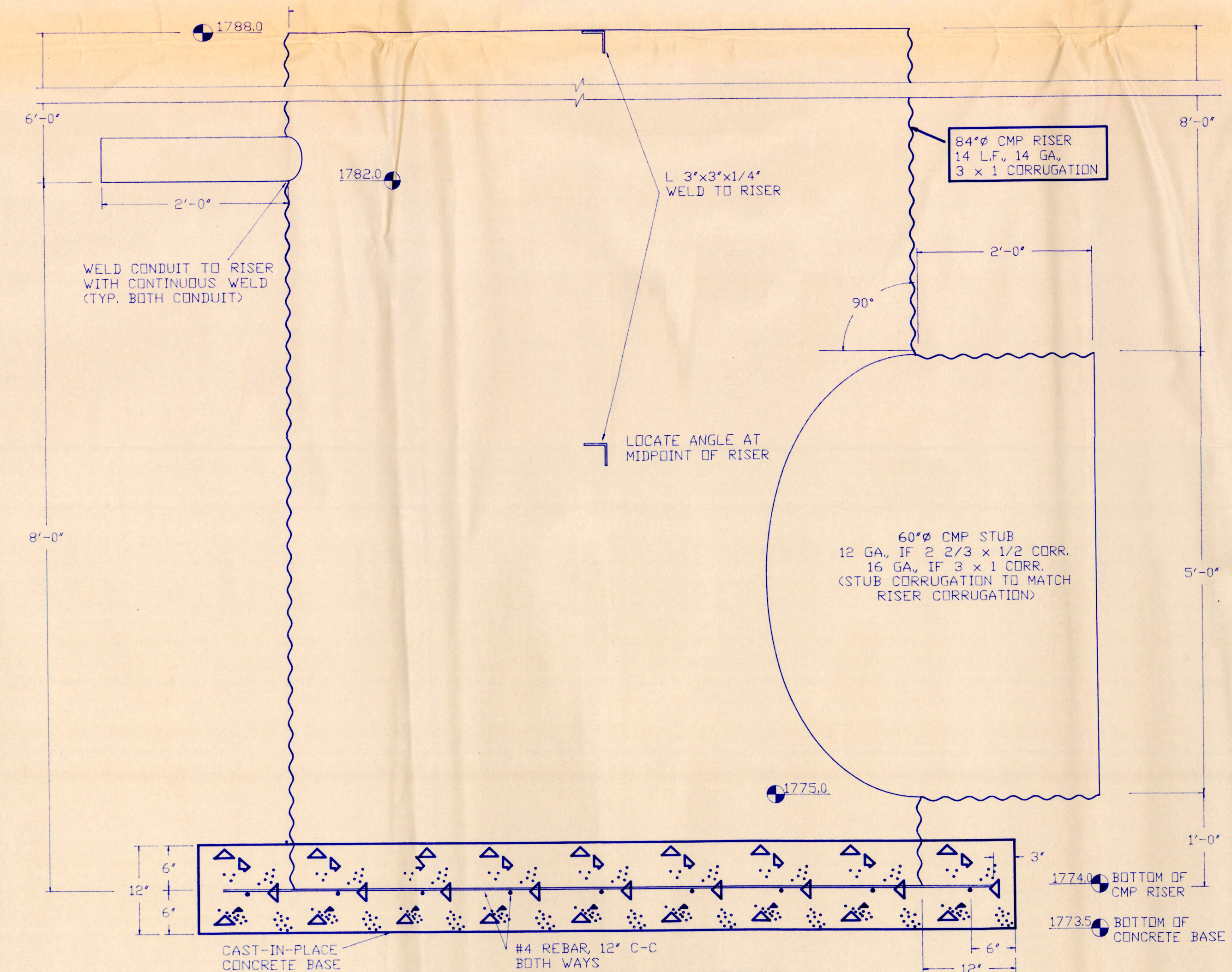


CONNECTING BAND DETAIL
NOT TO SCALE

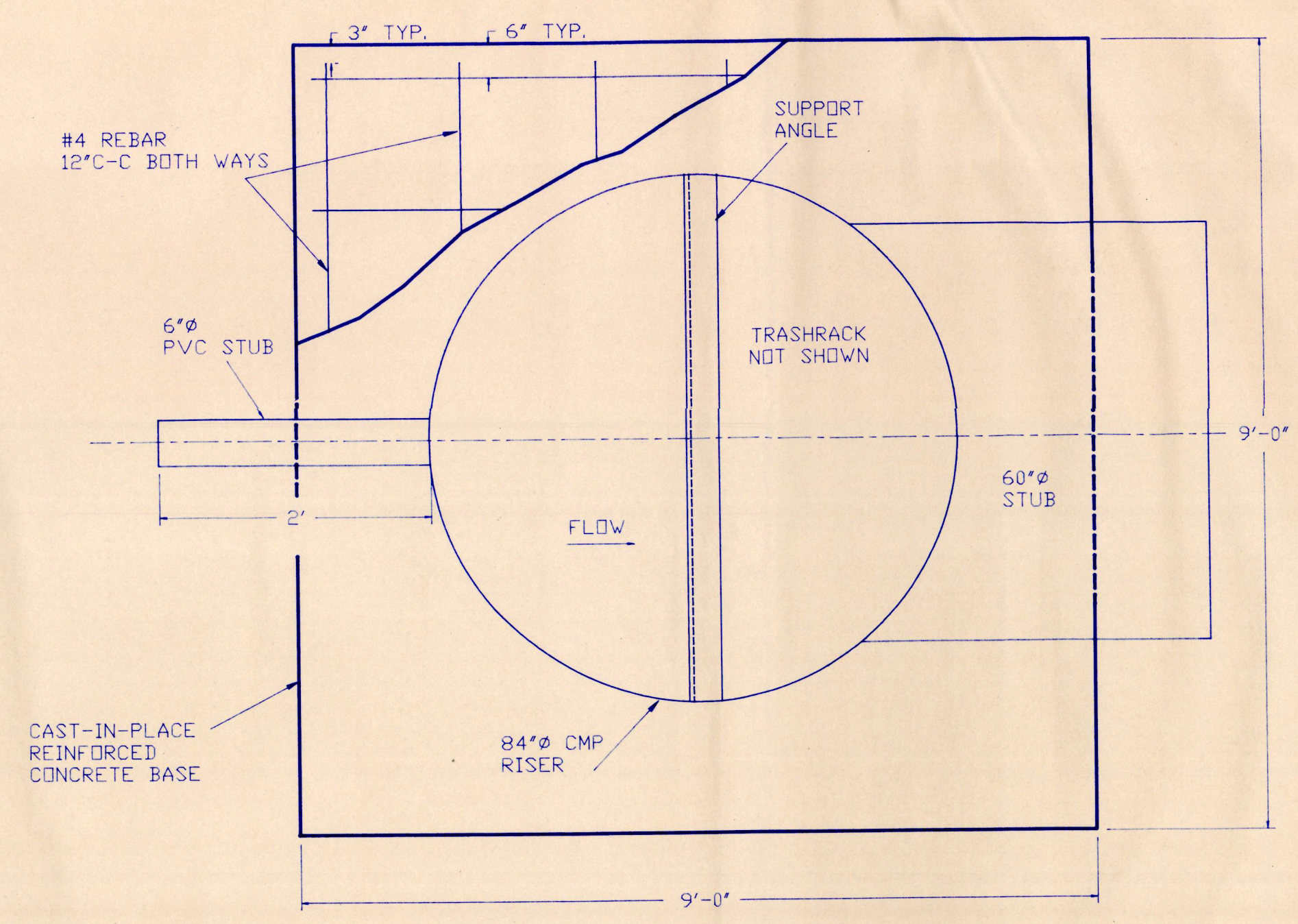
AFTER BANDS HAVE BEEN TIGHTENED, A COAT OF 5X SEALER SHALL BE APPLIED AROUND THE CULVERT AT THE ENDS OF THE CONNECTING BAND AND ALONG THE SEAM OF THE BAND OVERLAP.

NOTE TO SUPPLIERS: IF ANNULAR PIPE IS USED, USE A 2 FT. WIDE ANNULAR BAND. IF HELICAL PIPE WITH 4 CORRUGATIONS REROLLED TO ANNULAR IS USED, USE A 21 INCH WIDE ANNULAR BAND. SEE SPECIFICATION 207.2.

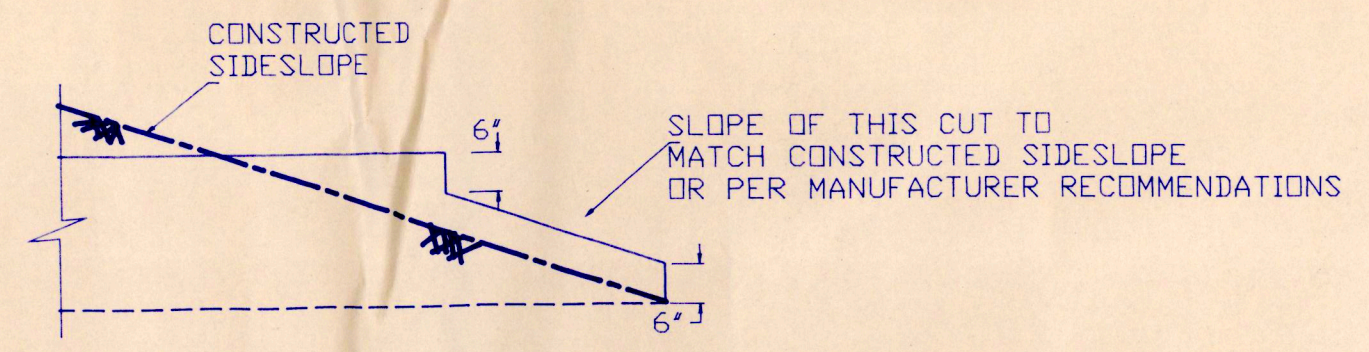
ALUMINUM MATERIALS NOT ACCEPTABLE ON RISER OR CULVERT



CONTROL STRUCTURE DETAIL
NOT TO SCALE



CONTROL STRUCTURE PLAN
NOT TO SCALE



STEP BEVEL DETAIL
NOT TO SCALE

	PROJECT NO. SD-102-1	DESIGNED BY: R.C.S.
	VEEDA RAMSER IMP.	DRAWN BY: B
	STRUCTURE DETAILS	SURVEYED BY:
	APPROVED BY:	CHECKED BY:
GREAT PLAINS REGIONAL OFFICE	SHEET NO. 6 OF 7	DATE: 2-7-94

2303-2



MIDWEST TESTING LABORATORY
1900 Commerce St. / P.O. Box 2584 / Bismarck, ND 58502
Phone (701) 255-3331 / Fax (701) 255-3307

JOB NO. B3476 LOG OR TEST BORING NO. 1 VERTICAL SCALE 1"=3'

PROJECT Proposed Embankment Rehabilitation, Velda Ramser Site, Lyman County, SD

DEPTH FEET	SOIL DESCRIPTION	SURFACE ELEV.	NO.	TYPE	LABORATORY TESTS	MOISTURE	DENSITY	LL/PL	Q _u
1	FILL-FAT CLAY WITH SAND- grayish brown, medium, roots (CH)	1786.0	1	SB	7				
2	FILL-FAT CLAY-grayish brown, rather stiff to stiff (CH)		2	SB	15				
3			3	SB	16				
4			4	SB	20	27.0	93.1	71/21	
5	FILL-FAT CLAY-dark brownish gray, stiff, traces of gravel (CH)		5	SB	24				
6			6	SB	20				
7			7	SB	19				
8	FAT CLAY-gray, medium, moist (CH)		8	SB	11				
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