

WATER PERMIT NO. 2451-2

Name of Applicant: Kenneth L. ~~Fisher~~ Fischer

Address: 414 Linden, New Ulm MN 56073 Phone: 507 354-2736

Amount of Water Claimed: 128.6 AF Total Acres: NA

Source of Water Supply: runoff

Water to be used for: fish & wildlife propagation and recreation County: Tripp

Type of Waste Disposal System:

Location: 15 miles northwest of Winner

PRIORITY Date Received: 11-1-2000

Fee: \$225.00

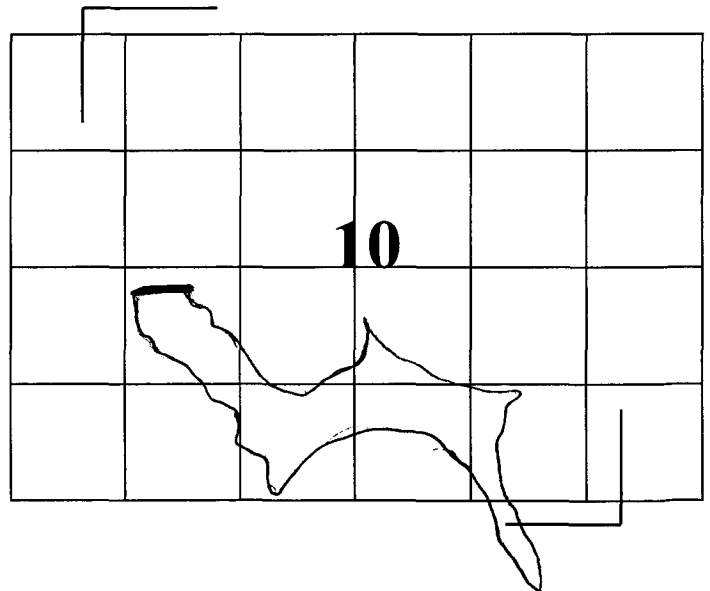
Corrected Application Received:: 12-11-2000

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NW ¼ SW ¼ Sec 10-T100N-R78W

Water Impounded: SW ¼, W ½ SE ¼, SE ¼ SE ¼
Sec 10; NE ¼ NE ¼ Sec 15; all in T100N-R78W



Depth of Well: NA

Well Driller: : NA

Remarks:

Type of Map: topographic

Prepared by: Lee Ozane, NRCS

Reviewed and the Number Assigned on: 12-18-2000

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 2451-2**

Date of first receipt of application November 1, 2000.

Date of return to applicant for corrections, amendments or changes November 2, 2000.

Date of receipt of corrected application December 11, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2451-2 to Kenneth L Fisher, 414 Linden, New Ulm MN 56073 authorizing the construction of the dam and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2451-2 authorizes impoundment of 128.6 acre-feet of water from runoff by constructing a dam located in the NW ¼ SW ¼ Section 10 with water impounded in the SW ¼, W ½ SE ¼, SE ¼ SE ¼ Section 10 and the NE ¼ NE ¼ Section 15; all in T100N-R78W.
2. The water appropriated shall be used for the purpose of supplying water for fish and wildlife propagation, recreational and domestic uses and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 2451-2 is February 5, 2001.
5. The date from which applicant may claim right is November 1, 2000.
6. One-fifth of the construction is to be completed on or before August 5, 2003.
7. All construction is to be completed on or before February 5, 2006.
8. Water is to be put to beneficial use on or before February 5, 2010.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Water Permit No. 2451-2 authorizes a dam with a storage capacity of 128.6 acre feet of water and sufficient water annually to maintain the water level to the outlet elevation.
2. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.

WATER MANAGEMENT BOARD

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

FEB 15 2001

date



Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

No. <u>2451-7</u>	(office use only) Hydrologic Unit <u>10140204</u>
Basin <u>White River</u>	
Newspaper <u>Winner Advocate, Winner</u>	



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

Check use(s) of water:

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

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one)

Place to Beneficial Use Water Reserved by Future Use Permit No. _____

Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

1. Name of Applicant Kenneth L. Fisher - Fischer Phone 507-354-2736
(check one) ☒ Owner ☐ Tenant/lessee

Mailing Address 414 Linden, New Ulm State MN 56073
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed *CFS or **GPM 128.6 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Surface runoff

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
NW1/4SW1/4 of section 10 - T. 100 N., R. 78 W. Water Impounded: SW1/4, W1/2 SE1/4, SE1/4
SE1/4 Sec. 10; NE1/4 NE1/4 Sec. 15; all in T100N-R78W County Tripp

5. County or counties where water will be used Tripp

6. Annual period during which water is to be used January 1 to December 31

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

This project involves constructing a 12.5 foot high dam to create a 36.2 acre wetland for wildlife and recreational purposes.

STATE OF Brown)
County of Brown) SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

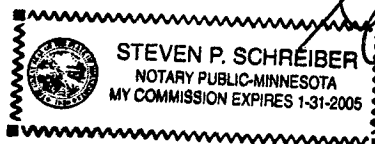
I, Kenneth L. Fisher, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Kenneth L. Fisher

Subscribed and sworn to before me this 25 day of Oct 20 00

Notary Public signature

4-2000



(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 _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

3. Dugout Information

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

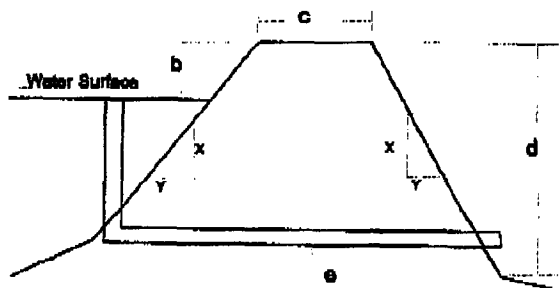
4. Water Storage Dams

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

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

Natural Resources Conservation Service
113 S. Madison
Winner, SD 57580

Phone: 605-842-0603



- b) Freeboard **3.4 feet**
- c) Crest Width **12.0 feet**
Crest Length **435 feet**
- d) Height **12.5 feet**
- e) Primary Outlet Capacity _____
If pipe, diameter **18 inches**
- f) Secondary Spillway Capacity _____
Spillway Width **20 feet (minimum)**
- g) X & Y Slope _____
Upstream **3:1**
Downstream **3:1**
- h) Surface Area of Impoundment **36.2 acres**
- i) Storage **128.6 Acre Feet**
- j) Drainage Area Above Dam **1050 Acres**

PROJECT PROPOSAL

SUBMITTED BY: South Dakota Department of Game, Fish & Parks

Contact: Paul Coughlin, Wetland Projects Coordinator, South Dakota Game, Fish & Parks,
Pierre, SD 57501

PROJECT DESCRIPTION: Ken Fisher Wetland Creation

Purpose: This project involves creating a 36 acre wetland.

Location: The property is located approximately 15 miles northwest of Winner, SD, in Tripp County. NW¼SW¼ of Section 10, T. 100 N., R. 78 W. LAT 43.4935, LONG -100.0639

Ownership & Management: The property is in private ownership.

Land Use History: The project is located in 200 acres of CRP land.

Need: This project will provide waterfowl pair and brood habitat to an area of well managed grasslands.

Management Plans: There are currently no specific plans in place addressing land management.

Monitoring & Evaluation: There are currently no plans to conduct monitoring or evaluation of the site.

WILDLIFE VALUES:

Waterfowl: This project will benefit upland nesting waterfowl, including mallards, pintails, gadwalls and blue-winged teal.

Upland Game: This project will benefit ring-necked pheasants, sharp-tailed grouse and prairie chickens.

Big Game: This project will benefit white-tailed deer, mule deer and pronghorn.

ACTIVITY SCHEDULE & ESTIMATED COSTS:

The estimated cost for this project is \$10,000.00.

TERMS OF AGREEMENT:

This property is in private ownership. A 20 year Wildlife Extension Agreement will be secured with the landowner.

S C S - - SNTC
SEPTEMBER 1986

LANDOWNER -- Ken Fischer
COMPUTED BY -- LDO
DATE,--10/4/00 rev--10-04-2000
FILE ----- C:kfisher.DAT
P.S. TYPE -- CANOPY

THIS PROGRAM FLOODROUTES THE PRINCIPAL AND EMERGENCY SPILLWAY
STORMS FOR AN EARTH EMBANKMENT STRUCTURE THAT MEETS THE SCS
PONDS (378), STANDARDS AND SPECIFICATIONS. CALCULATIONS ARE
BASED ON PROCEDURES IN THE SCS ENGINEERING FIELD MANUAL (EFM).
EARTHFILL QUANTITIES ARE CALCULATED USING SETTLED FILL
ELEVATIONS, WITH NO ALLOWANCE FOR SETTLEMENT.

Joe Guma NRCS RCT

STAGE-STORAGE DATA

	ELEV	AC	AC-FT**	AC-FT***
	****	**	*****	*****
	89.9	0.0	0.0	
(P.S. ELEV) *	97.0	36.2	128.6	0.0
(E.S. ELEV) *	99.0	46.2	226.2	97.5
	102.4	63.8	398.8	287.3

* INTERPOLATED VALUE
 ** STORAGE VALUES ABOVE LOWEST ELEVATION
 *** STORAGE VALUES ABOVE PRINCIPAL SPILLWAY ELEVATION
 ** SED. STORAGE (AF)= (SED. NOT CALCULATED)
 ** P.S. STORAGE (AF)= 97.5
 ** P.S. RUNOFF (AF) = 79.4
 ** E.S. STORAGE (AF)=172.6
 ** E.S. RUNOFF (AF) =262.0

HYDROLOGIC DATA

RCN = 83
 DRAINAGE AREA = 1050 AC
 AVE W/S SLOPE = 1.5 %
 T C = 3.16 HRS

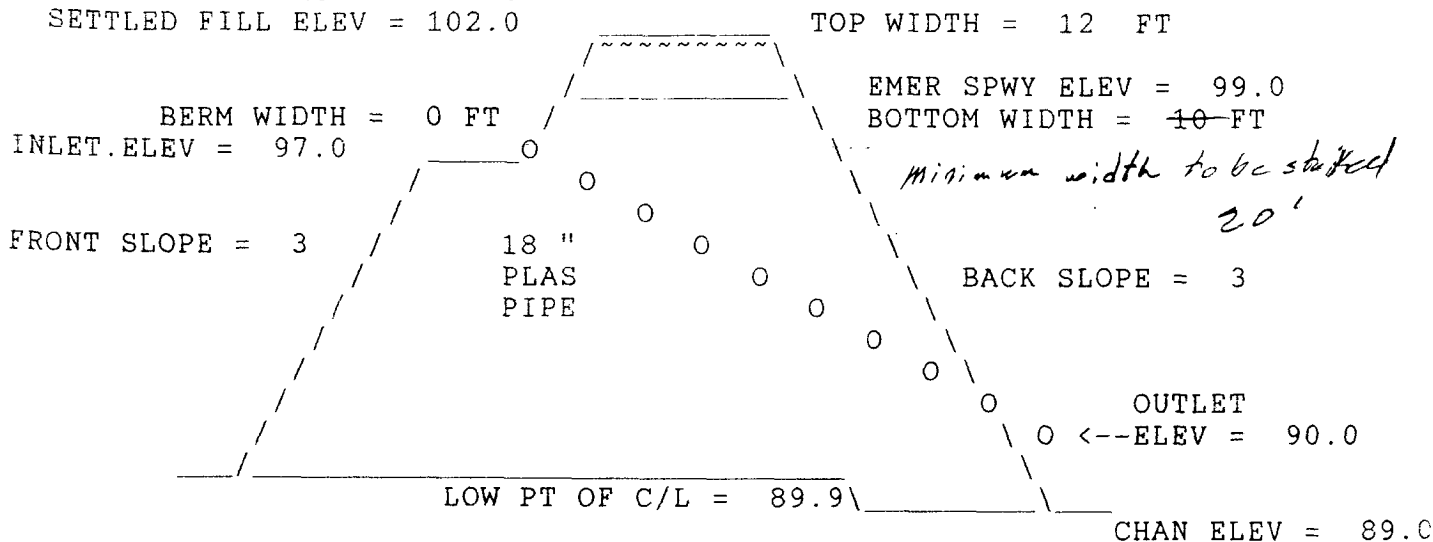
	PRINC SPWY	EMER SPWY
DESIGN FREQUENCY	2 YR	50 YR
24 HR RAINFALL	2.3 IN	4.8 IN
RUNOFF	0.9 IN	3.0 IN
PEAK INFLOW	191 CFS	674 CFS
PEAK OUTFLOW	6.1 CFS	ES 25 CFS
PRIMED EL. = 99.1	23.1 CFS	PS 25.1 CFS

STRUCTURAL DATA

P.S. INLET TYPE - - = C A N O P Y
 P.S. INLET LOCATION = I N D A M
 B E R M - - - - - = N O N E

DESIGN ELEVATIONS

CONSTRUCTED FILL ELEV = 102.6
 % SETTLEMENT = 5.0%
 SETTLED FILL ELEV = 102.0



FINAL RESULTS

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*****
*PIPE DIAMETER (IN)      *      18*
*PIPE MATERIAL           *      PLAS* PLASTIC PIPE
*PIPE LENGTH (FT)        *      77* PIPE EXTENDS 6 FT BEYOND DNSTR TOE
*PIPE SLOPE (%)          *      9.1* ELBOW IS REQUIRED
*
*CANOPY DIMENSIONS:
*      W (IN)            *      3.6*
*      L (IN)            *      14.4*
*RISER LENGTH (FT)       *      0.0* LENGTH =INLET EL-INVERT EL
*
*STAGE of PS Q. CALC (FT) *      1.4* ES, RAISED TO MINIMUM (PS 378)
*E.S. FLOW DEPTH (FT)    *      1.5* 'C' RETARDANCE
*MAX E.S. EXIT SLOPE     *      6%* MAX VEL = 6.5 fps
*MIN E.S. EXIT SLOPE     *      1%*
*DRAWDOWN TIME (HRS)     *      55* SHOULD CONSIDER LARGER PIPE
*DETENTION TIME (HRS)    *      >30* FLOW TIME, FOR SEDIMENTATION PONDS
*APPROX HEIGHT x STORAGE *      2047*
*EFFECTIVE HEIGHT (FT)   *      9.0* (E.S. ELEV - LOW PT ON C/L)
*OVERALL HEIGHT (FT)     *      12.9* (TOP SET FILL ELEV - CHAN ELEV)
*ENGR JOB CLASS          *
*HAZARD CLASS            *      a
*****
  
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(Includes berm, main fill, core trench & spway dike)

Landowner ----- Ken Fischer Site No. -----
District ----- Tripp
Location ----- NW SW 10-100-78
Computed by --- LDO
Date ----- 10-04-2000 @ 11:19:20

Top of fill elev ----- 102.0
Top width ----- 12 - Feet
Emergency spillway elev. ----- 99.0
The emergency spillway is located on the right side
Upstream fill slope = 3.0:1 Downstream fill slope = 3.0:1
Elevation of crest ----- 97.0
Berm width ----- 0 feet

Core trench depth = 3.0 feet with a length of 224.5 feet
(Core trench assumed 10.0 ft. bottom w/ 1.0:1 sideslopes)

Spillway dike length = 0 feet with a 5 % sidehill slope
Emergency dike topwidth = 10 feet with sideslopes of 3.0:1 and 5.0:1
with a fill height of 3.0 feet

* * * * *	Station	Elevation	Yardage x 2	*
*	0.0	102.4	0.0	*
*	8.0	102.0	0.0	*
*	50.0	99.9	96.8	*
*	100.0	97.5	371.9	*
*	103.1	97.0	36.2	*
*	140.0	91.1	1015.2	*
*	190.0	89.9	2328.4	*
*	235.0	90.3	2216.4	*
*	285.0	94.1	1824.5	*
*	327.6	97.0	802.4	*
*	335.0	97.5	86.3	*
*	359.0	98.7	214.5	*
*	365.0	99.0	40.1	*
*	385.0	100.0	0.0	*
*	435.0	102.4	0.0	*
* * * * *				*

Main fill including berm (if any berm) ----- 4496.0 cu. yds.
Emergency spway dike fill ----- -1.0 cu. yds.
Core trench ----- 259.8 cu. yds.

Total structure yardage ----- 4754.8 cu. yds.

<<< Notes >>>

Fill yardage includes stripping 0.50 ft. deep plus (berm yardage)
Emergency dike yardage based on depth plus 0.50 ft. deep stripping
Core trench yardage based on depth minus 0.50 ft. deep stripping
Settlement of 5.0 % was used on the earthfill computations



(Includes berm, main fill, core trench & spway dike)

Landowner ----- Ken Fischer Site No. -----
District ----- Tripp
Location ----- NW SW 10-100-78
Computed by --- LDO
Date ----- 10-04-2000 @ 11:25:55

Top of fill elev ----- 102.0
Top width ----- 12 Feet
Emergency spillway elev. ----- 99.0
The emergency spillway is located on the right side
Upstream fill slope = 3.0:1 Downstream fill slope = 3.0:1
Elevation of crest ----- 97.0
Berm width ----- 10 feet

Core trench depth = 3.0 feet with a length of 224.5 feet
(Core trench assumed 10.0 ft. bottom w/ 1.0:1 sideslopes)

Spillway dike length = 0 feet with a 5 % sidehill slope
Emergency dike topwidth = 10 feet with sideslopes of 3.0:1 and 5.0:1
with a fill height of 3.0 feet

* * * * *	Station	Elevation	Yardage x 2	* * * * *
*	0.0	102.4	0.0	*
*	8.0	102.0	0.0	*
*	50.0	99.9	96.8	*
*	100.0	97.5	371.9	*
*	103.1	97.0	36.7	*
*	140.0	91.1	1109.5	*
*	190.0	89.9	2587.7	*
*	235.0	90.3	2463.1	*
*	285.0	94.1	2020.8	*
*	327.6	97.0	863.9	*
*	335.0	97.5	89.1	*
*	359.0	98.7	223.4	*
*	365.0	99.0	42.3	*
*	385.0	100.0	0.0	*
*	435.0	102.4	0.0	*
* * * * *				* * * * *

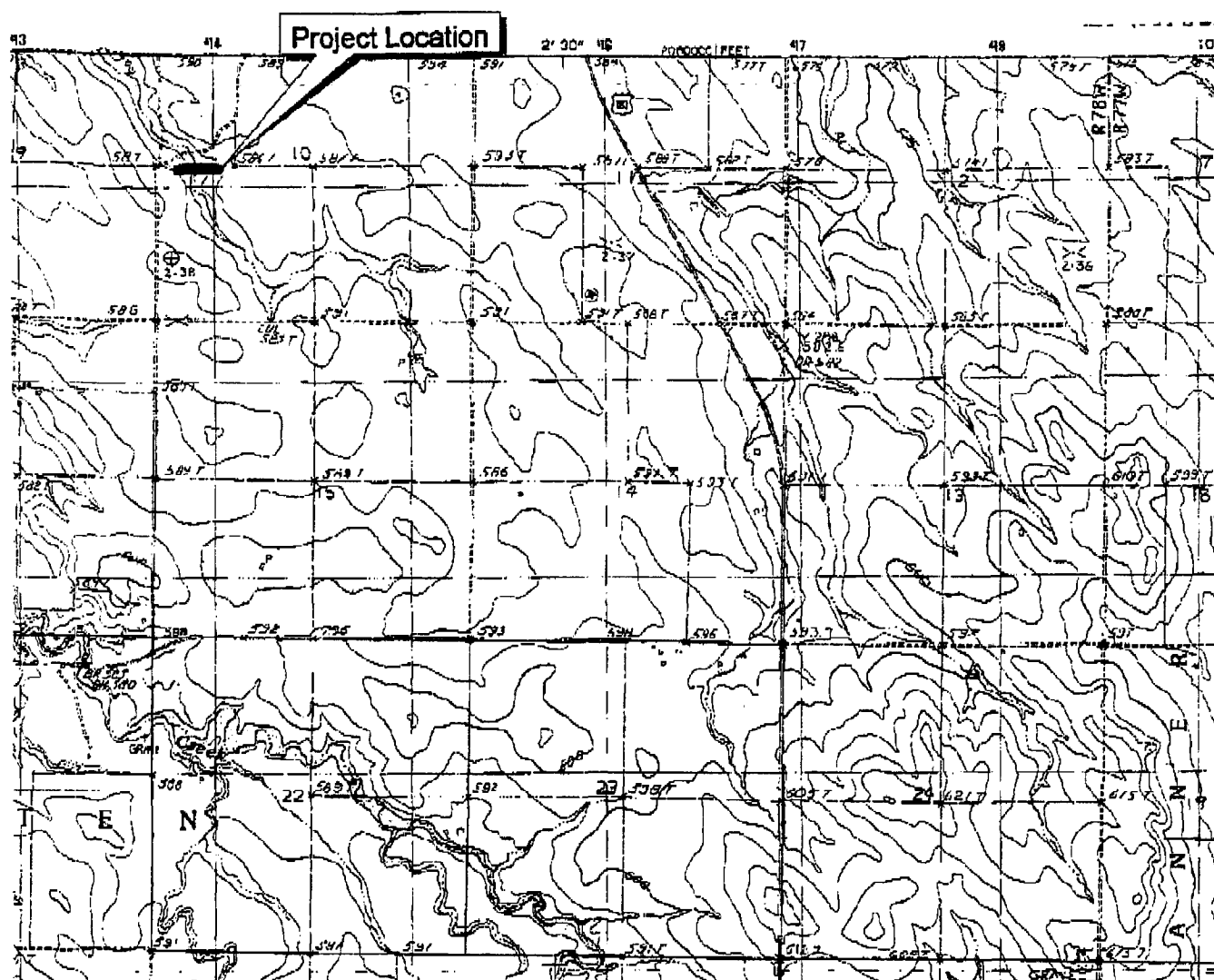
Main fill including berm (if any berm) ----- 4931.0 cu. yds.
Emergency spway dike fill ----- -1.0 cu. yds.
Core trench ----- 259.8 cu. yds.

Total structure yardage ----- 5189.8 cu. yds.

<<< Notes >>>

w/berm

Fill yardage includes stripping 0.50 ft. deep plus (berm yardage)
Emergency dike yardage based on depth plus 0.50 ft. deep stripping
Core trench yardage based on depth minus 0.50 ft. deep stripping
Settlement of 5.0 % was used on the earthfill computations



Ken Fisher Wetland Creation Project Tripp County, South Dakota

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N^o 416666

Pierre, November 1, 2000

RECEIVED OF Kenneth Fischer, 414 Linden St, New Ulm MN 56073

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 _____	225	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. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	275 00

By

Chief Engineer

Garland Erbe
KS



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 2, 2000

Kenneth Fischer
414 Linden Street
New Ulm MN 56073

Dear Mr. Fischer:

We are in receipt of water right permit application for dam in Tripp County. I believe the mailing delay in getting the application to us was that it was mailed to the Dept. of Game, Fish and Park instead of the Dept. of Environment and Natural Resources.

As I discussed with you on the phone, plans and specifications for the proposed dam must be submitted for approval. An engineer must sign these plans. When NRCS designs a dam they also provide a classification of the dam according to the dam safety rules.

Finally, the map showing the location of the dam that you submitted needs to be signed by a licensed engineer, licensed land surveyor or a government employees that prepares maps as a normal part of their job. I am including a copy of your submitted map that can be used if NRCS does not plan to include a map with the plans and specifications. Generally, NRCS includes such a map with their submittal of plans and specifications. However, if you re-submit the map it will need to be properly signed.

Mr. Fischer, I know to obtain the water right permit so that you can construct in December. However, we can not proceed to public notice until we have a complete application to review. As soon as we receive the plans and signed map, we will proceed with your application in an expedient manner. Please feel free to contact me if you have any questions.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosure

c: Will Engel, NRCS, 113 S. Madison, Suite 100, Winner SD 57580

File No. XXX

Water Rights Division --DENR--
Conversation or File Documentation

NAME OF PERSON OR FILE: Kenneth Fisher

ADDRESS: 414 Linden St. New Ulm, MN 56073

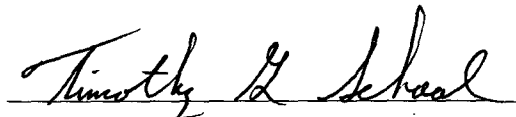
COUNTY: Tripp

DATE: December 14, 2000

TELEPHONE: XXXXXXX

RE: Plans and Specs.

I talked to Lee Ozane, from the NRCS Office in Kennebec, today about the P&S and Hydrologic Data that he sent us for Mr. Fisher's Water Permit Application. I told him this was a little different information than we usually received, and normally get the NRCS Job Plan Sheets. After reviewing the information with Mr. Ozane, it appears that the information is acceptable. I told Mr. Ozane that I had talked the Jim Reedy, from the NRCS Office in Winner, also today and told him we would need the Job Plan Sheets. I told Mr. Ozane we would accept the information we have and continue to process Mr. Fisher's application, if he agreed to send us a copy of the Job Plan Sheets when they are completed. He agreed with that, it sounded like they needed to do some more field surveying before completing them and needed to wait for better weather.



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

Eric Gronlund,

This is the requested info re
per phone call between Lee Izorac and
Tim Gronlund. Thanks for your time!
To the River

Hamill C/K Conservation Dist.

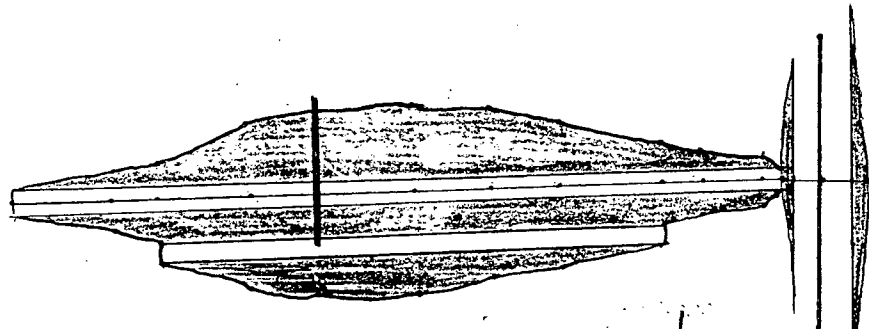
Winnon, SD 57580

605-842-0603 Ext. 3

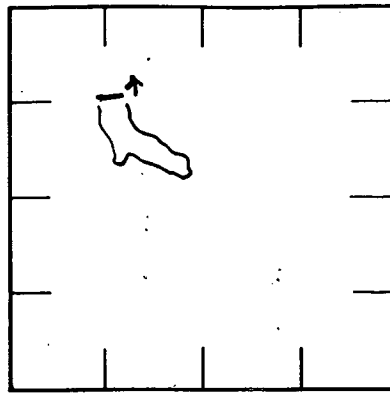


STRUCTURE DATA

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.
1050	79.4	674	156	6.7	36.2	22.7	128.6

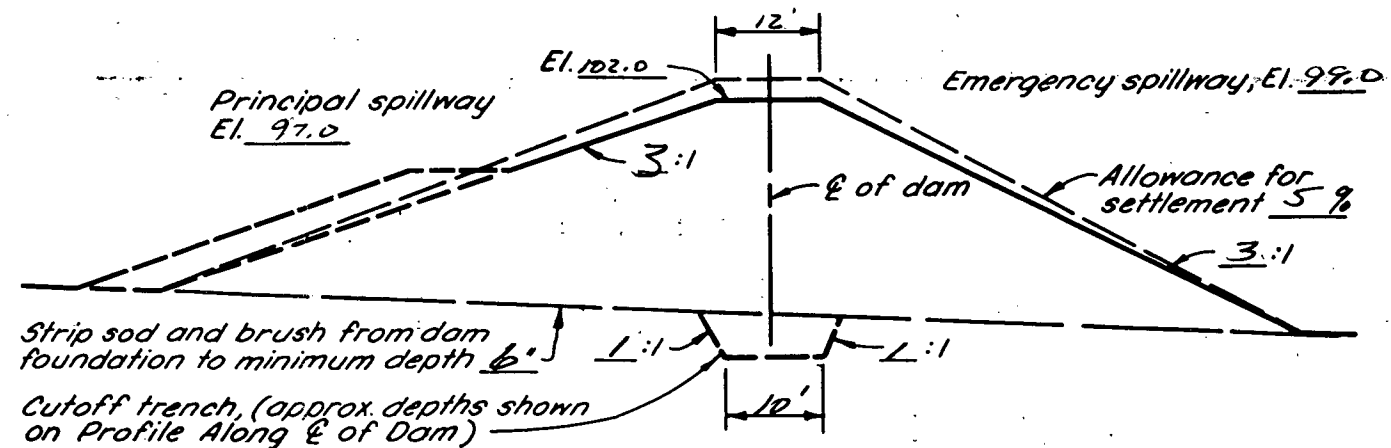


BORROW TO BE
TAKEN BELOW HIGH
WATER LINE



Sec. 10 T. 100 R. 78
Tipp County
LOCATION

TABLE OF QUANTITIES

[illegible]

TYPICAL CROSS SECTION OF DAM

S.D. CONSTRUCTION AND MATERIAL SPECIFICATIONS:

- SD-4 Stripping
- SD-5 Excavation
- SD-7S Earth Fill Class 5
- SD-16 Timber Fabrication + Installation
- SD-55 Plastic Pipe

EARTH DAM

OPERATOR: KEN Fischer
CONSERVATION DISTRICT: Hamill

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Date		Approved by	
10-20-2005		[Signature]	
Designed		Title	
[Signature]		R.C.T.	
Drawn		Title	
Traced		Sheet	
Checked		No	
		Drawing No.	
		of	

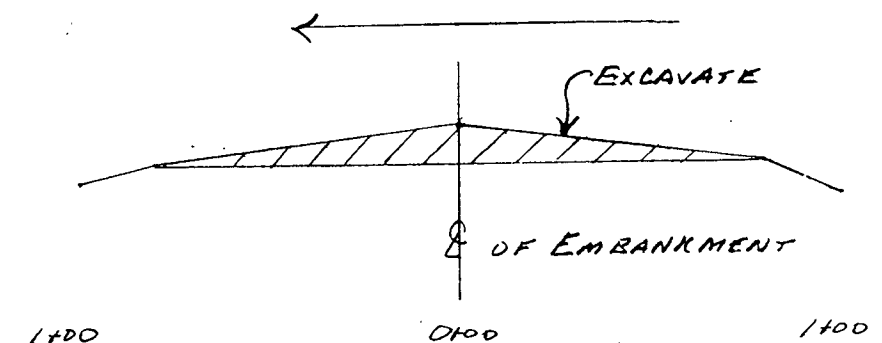
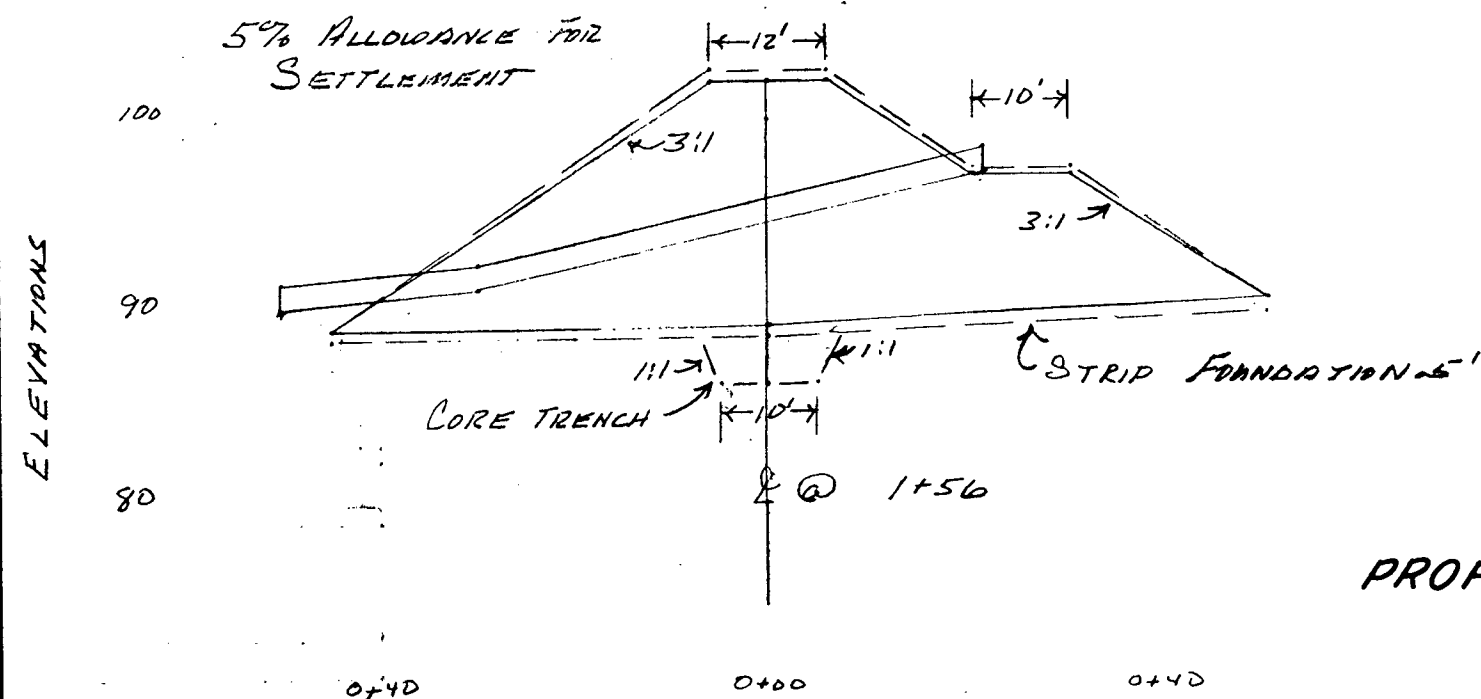
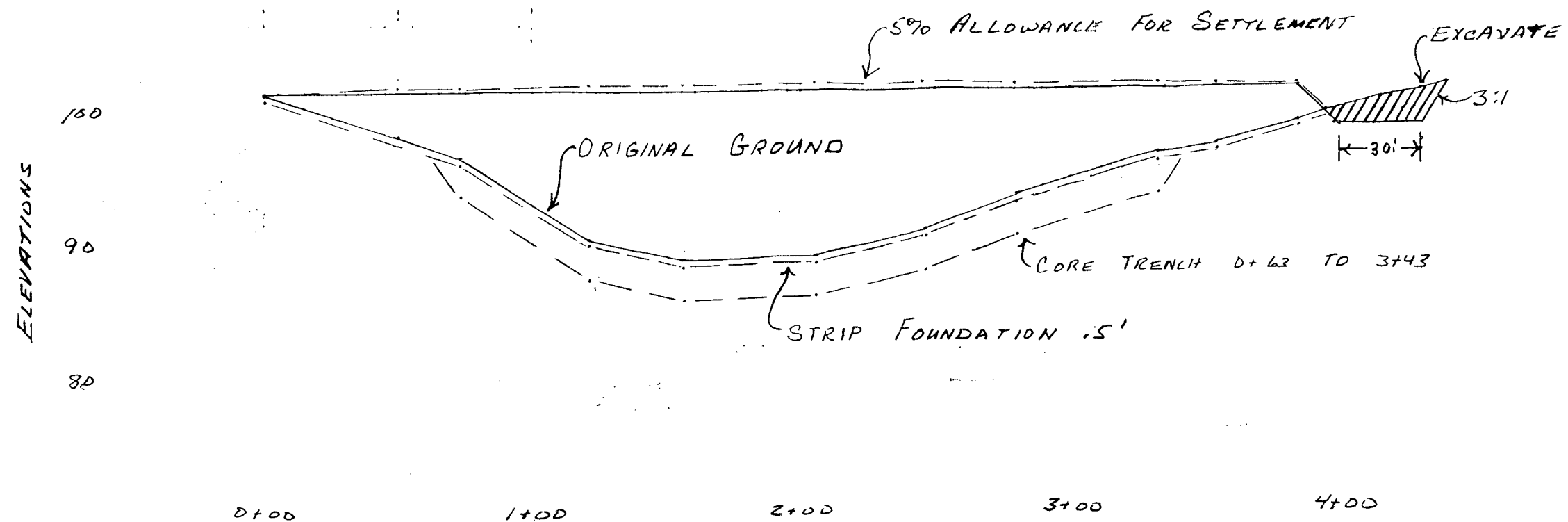
SKETCH PLAN OF DAM AND RESERVOIR AREA

Approximate scale $1'' = 100'$

REFERENCE: GUIDE PLAN NO. 1.0

JOB PLAN NO. 1.0

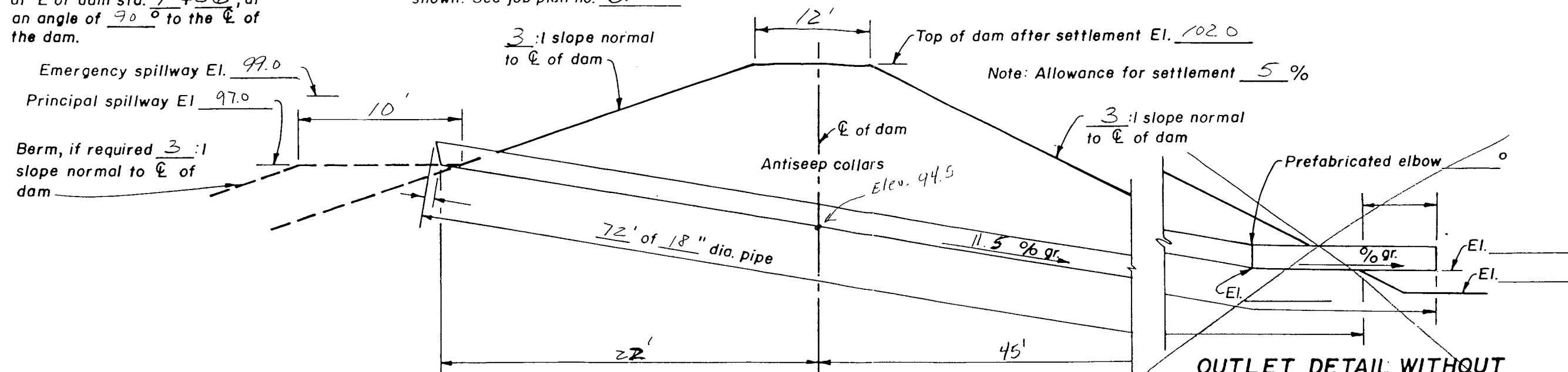




ERODIBILITY AREA ACRES	GROSS RATE A.F./AC./YR.	DRAINAGE AREA ACRES	DELIVERY RATE %	DESIGN PERIOD YEARS	REQ'D. SEDIMENT VOLUME AC.FT.
P	.0054	1050	20	20	22.7

Locate principal spillway pipe
at C of dam sta. $\frac{1}{1} + 56$, at
an angle of 90° to the C of
the dam.

Trash rack and baffle plate not shown. See job plan no. 5.4C2



CROSS SECTION OF DAM ALONG C-C OF PRINCIPAL SPILLWAY
(Not to scale)

SPECIFICATION NOTES

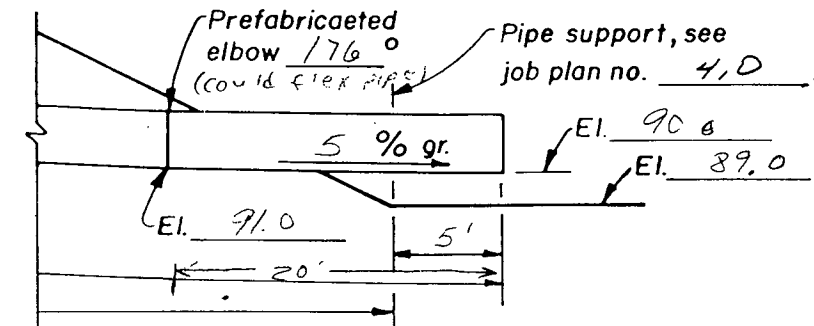
1. ELBOW IF REQUIRED MAY BE FABRICATED BY CONTINUOUS WELDING SEPERATE PIPE SECTIONS OR BY FABRICATING A CONTINUOUS WELDED JOINT ON THE UPSTREAM END OF LAST SECTION OF PIPE.
2. PIPE WALL THICKNESS SHALL BE _____ GAGE OR _____ INCHES.

TABLE OF QUANTITIES

[illegible]

APPLICABLE STANDARD S.C.S. SPECIFICATIONS

Rev. 8/80
JOB PLAN NO. 2.1



OUTLET DETAIL WITH PIPE SUPPORT

Sec. 10 T. 100, R. 78

Tipp County

LOCATION

HOOD INLET
PRINCIPAL SPILLWAY

OPERATOR Ken Fischer

CONSERVATION DISTRICT Hon. II

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

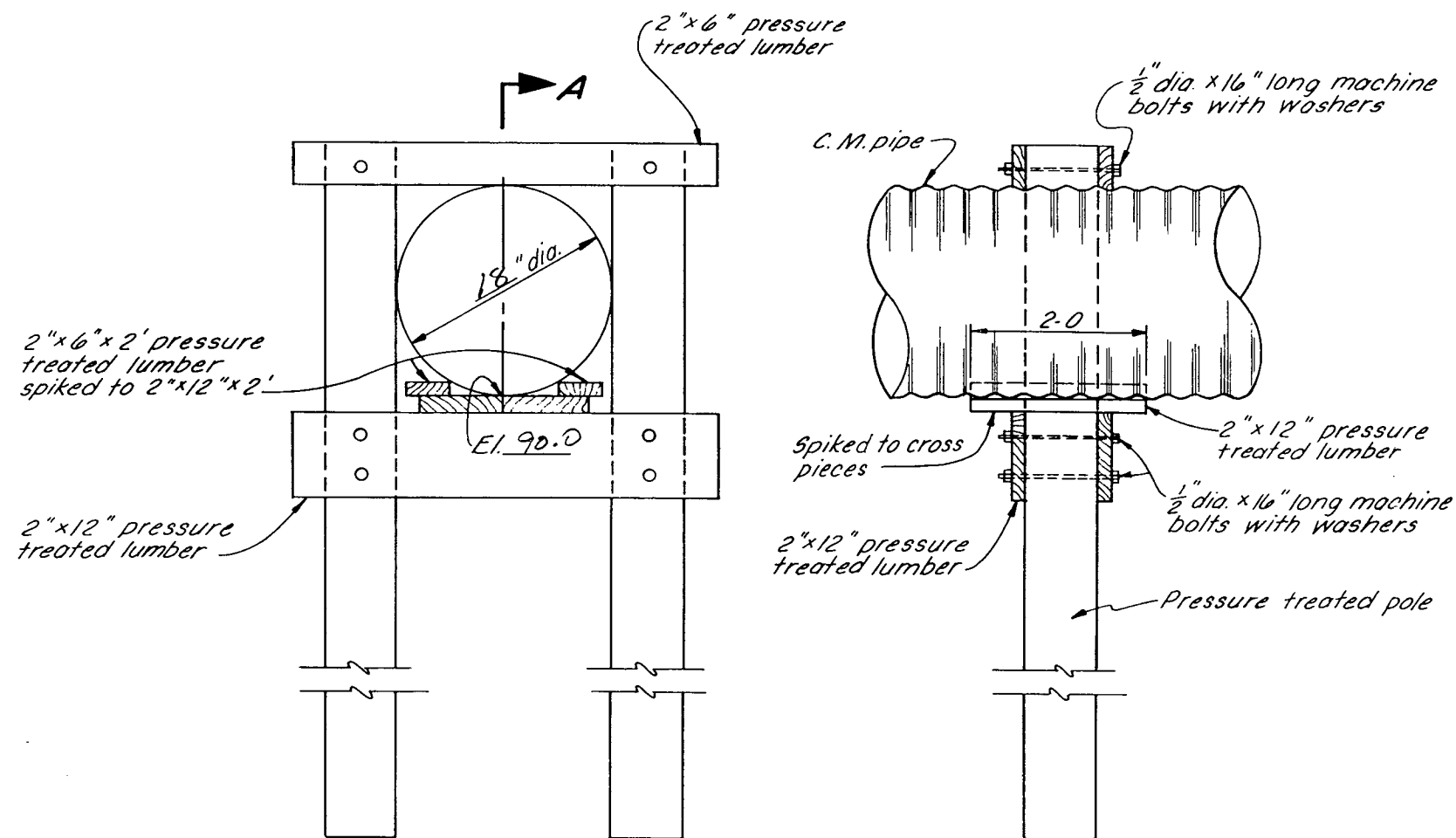
Designed J. G. Jones Date 10/200 Approved by J. G. Jones
Title 1265

Drawn 11 8-7-01

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	Sheet	Drawing No.

Checked	No
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ELEVATION

SECTIONAL ELEVATION A-A

TABLE OF QUANTITIES

ITEM	LENGTH FOR 18" DIA. C.M. PIPE	UNIT	QUANTITY
PRESSURE TREATED POLE 8" DIA.	8-0	EACH	2
2" X 12" PRESSURE TREATED LUMBER	4-0	EACH	2
2" X 6" PRESSURE TREATED LUMBER	4-0	EACH	2
2" X 12" PRESSURE TREATED LUMBER	2-0	EACH	2
2" X 6" PRESSURE TREATED LUMBER	2-0	EACH	2
1/2" DIA. MACHINE BOLTS WITH NUTS	1-4	EACH	10
1/2" DIA. WASHERS		EACH	20

NOTES:

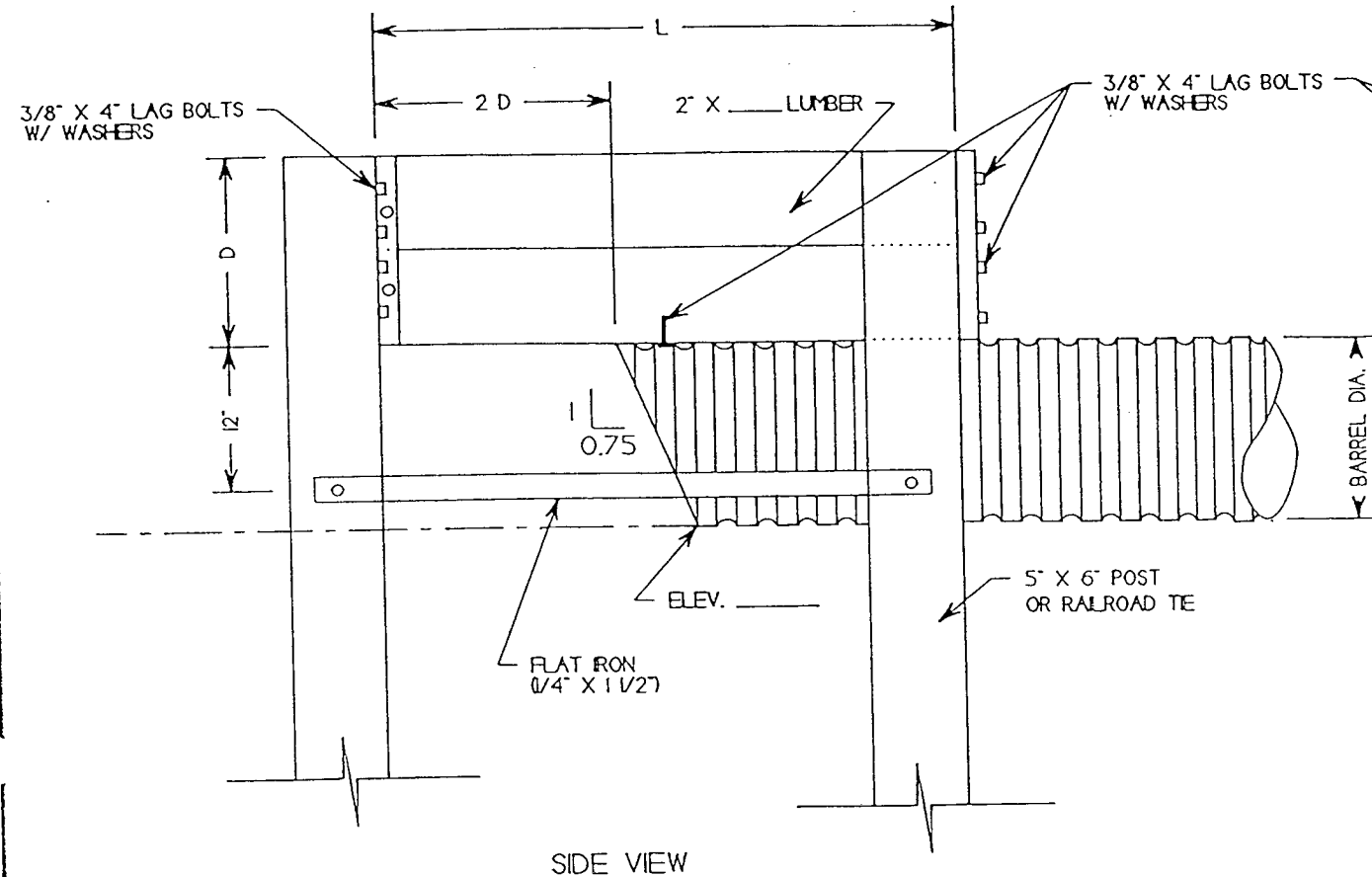
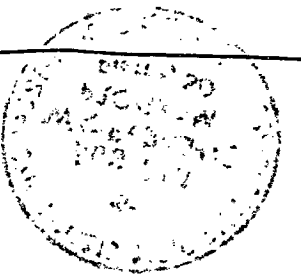
- HAND OR MACHINE TAMP BACKFILL THOROUGHLY AROUND FOOTINGS AND COLUMNS.

TIMBER PIPE SUPPORT

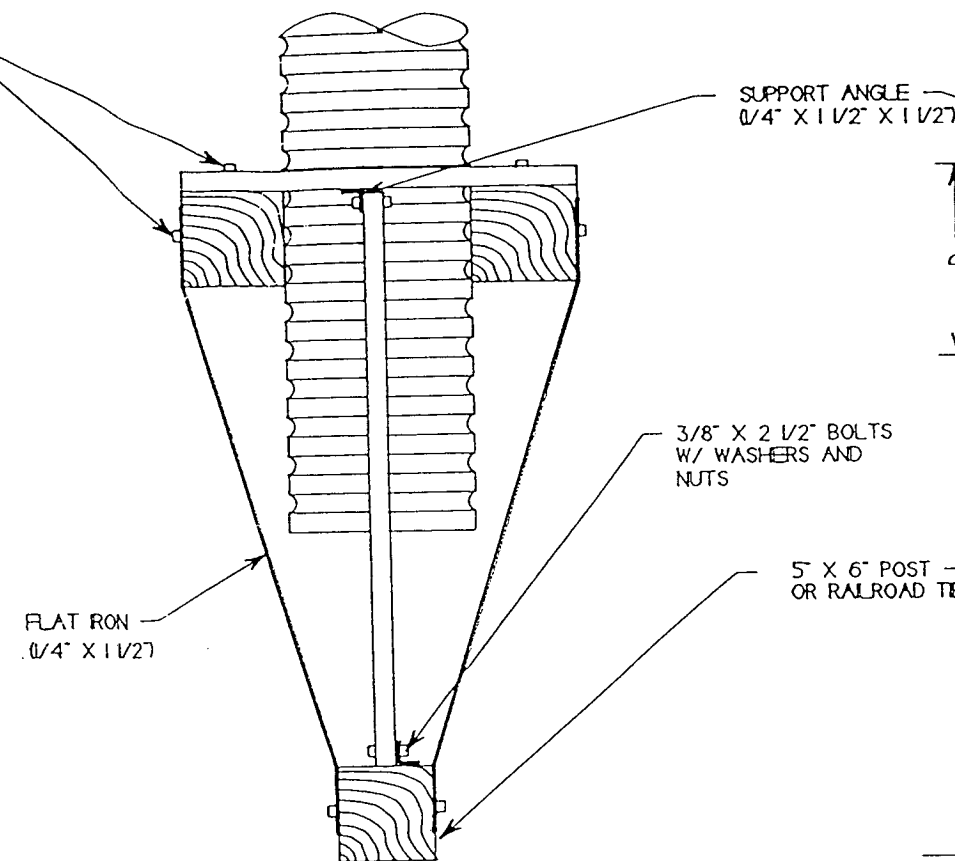
OPERATOR: Ker Fisher
 CONSERVATION DISTRICT: Hamill

U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE

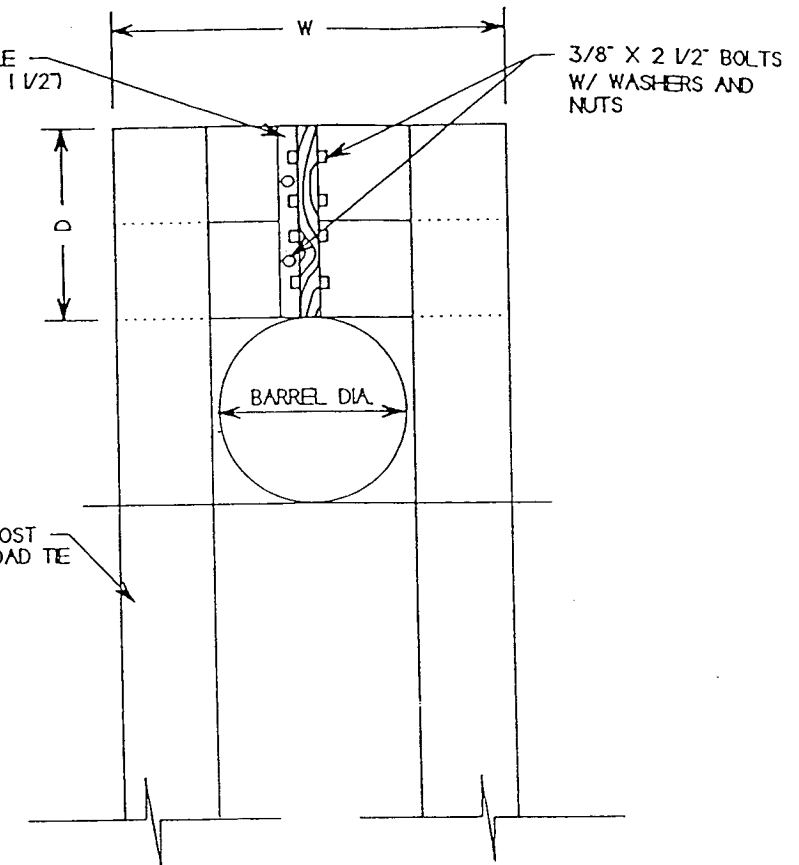
Designed: AP Date: 10/20/00 Approved by: Ret
 Drawn: 11 Date: 8-7-01 Title: Ret
 Traced: _____ Title: _____
 Checked: _____ Sheet: _____ Drawing No. _____
 of _____



SIDE VIEW



TOP VIEW



FRONT VIEW

ANTIVORTEX BAFFLE AND GUARD POST SUPPORT QUANTITIES

BARREL DIA.	D	L LENGTH FT.-IN.	NO. REQ'D	FLAT IRON LENGTH FT.-IN.	NO. REQ'D	3/8" X 4" LAG BOLTS & WASHERS NO. REQ'D	SUPPORT ANGLE LENGTH FT.-IN.	NO. REQ'D	POSTS LENGTH FT.-IN.	NO. REQ'D	W LENGTH FT.-IN.	NO. REQ'D	3/8" X 2 1/2" BOLTS, NUTS & WASHERS EA.
15"	15"	2' X 10" X 4'-4 1/2" 2' X 6" X 4'-4 1/2"	1 1	4'-6"	2	17	1'-3"	2	6'-0"	3	2' X 10" X 2'-3" 2' X 6" X 2'-3"	1 1	8
18"	18"	2' X 10" X 5'-3"	2	5'-5"	2	17	1'-6"	2	8'-0"	3	2' X 10" X 2'-6"	2	8
24"	24"	2' X 12" X 7'-0"	2	7'-2"	2	17	2'-0"	2	8'-0"	3	2' X 12" X 3'-0"	2	8

NOTE: ALL LUMBER AND POSTS WILL BE PRESSURE TREATED

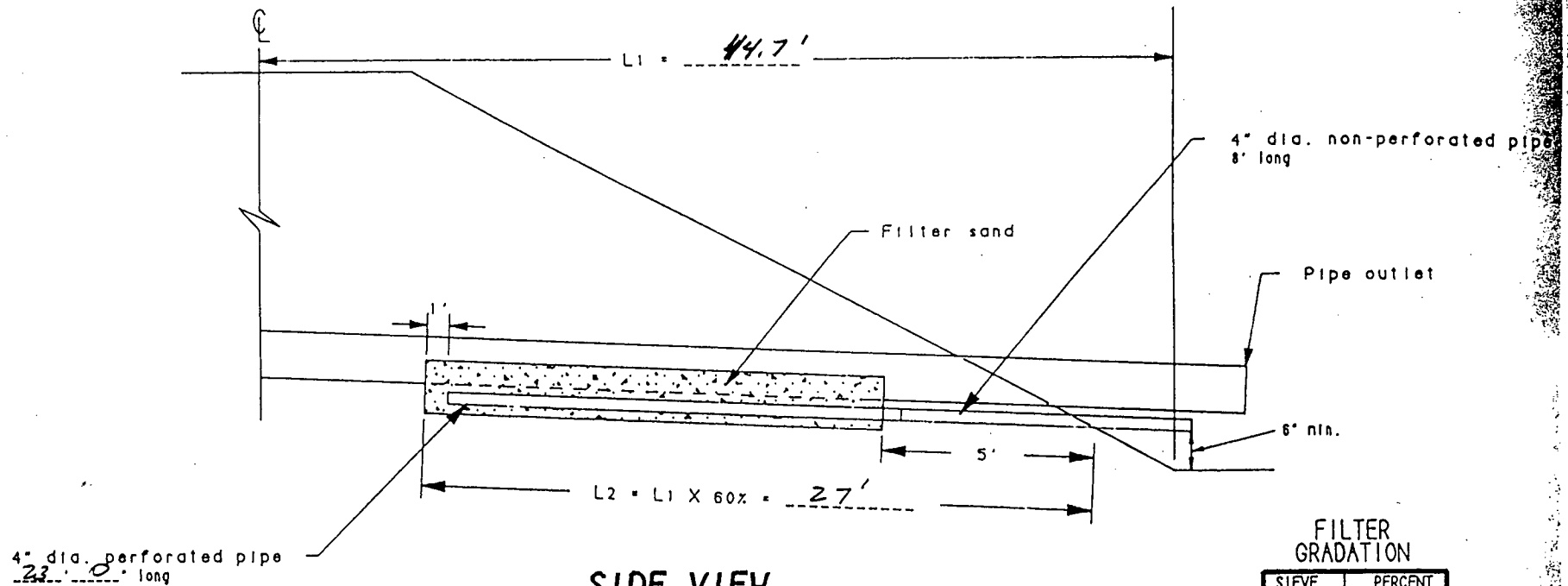
POLYETHYLENE HOOD INLET
W/ ANTIVORTEX BAFFLE
AND GUARD POST SUPPORT
FOR 15" thru 24" PIPE

Kew Fischer

USDA U.S. Department of Agriculture
Natural Resources Conservation Service

DESIGNED BY *[Signature]* APPROVED BY *[Signature]*
DRAFTED *[Signature]* TITLE *[Signature]*
DATE *8-7-01* SHEET *1* OF *1* DWG NO. *H&B-POL*

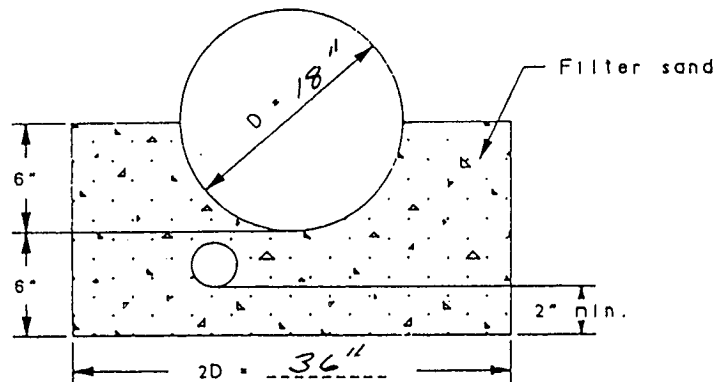
JOB PLAN 5.4C2 3/96



SIDE VIEW

FILTER GRADATION

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



UPSTREAM VIEW

NOTE:

1. THE 4" DIA. PIPE SHALL BE SDR 35 PVC, OR STRONGER
2. PROVIDE AN ANIMAL GUARD ON DRAIN OUTLET PIPE. DRILL 2, 1/2" DIA. HOLES, ON 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).
3. FILTER SAND WILL BE CLEAN PEA AGGREGATE OR CONCRETE SAND.

SAND ANTISEEP DRAIN

OPERATOR <u>Ken Fisher</u>	
CONSERVATION DISTRICT <u>Hemill</u>	
U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE	
Design <u>[Signature]</u>	Approved by <u>[Signature]</u>
Drawn <u>[Signature]</u>	Title <u>RLT</u>
Traced <u>[Signature]</u>	Title <u>[Signature]</u>
Checked <u>[Signature]</u>	Sheet No. <u>[Signature]</u>
	Dwg. No. <u>[Signature]</u>

Rev. 3/86

JOB PLAN NO. 3.8-P

Water Permit Application #2451-2
Kenneth L. Fisher

Cat. 3 - Low Hazard Dam

Top of Dam Elev. - 102
2nd Spillway Elev. - 99
P. Spillway Elev. - 97
D/S Toe Elev. - 89

} H_t = 13 ft

Normal Storage Capacity - 128.6 Ac-Ft
Int. Storage Capacity - 226.2 Ac-Ft
Max. Storage Capacity - 398.8 Ac-Ft

Int. Capacity x Eff H_t = 226.2 x 9 = 2036 < 3000 ∴ 25 yr
Minimum Spillway Design

From USGS WRI 80-80 "Tech for Est. Flood Peaks ... in SD"

$$DA = 1050 \text{ Ac} = 1.64 \text{ mi}^2$$

$$\text{Slope} = 66 \text{ ft/mi}$$

$$SI = 2.05$$

$$Q_{25} = 83.4 A^{.644} S^{.45} S_i^{.72}$$

$$\begin{aligned} &= 83.4 (1.64)^{.644} (66)^{.45} (2.05)^{.72} \\ &= 83.4 (1.3456) (6.3183) (.5964) \\ &= \underline{423 \text{ cfs}} \end{aligned}$$

$$Q_{50} = 106 A^{.645} S^{.45} S_i^{.69}$$

$$\begin{aligned} &= 106 (1.64)^{.645} (66)^{.45} (2.05)^{.69} \\ &= 106 (1.3456) (6.5886) (.6094) \\ &= \underline{573 \text{ cfs}} \end{aligned}$$

Secondary Spillway Flow

$$Q = CLH^{3/2} \quad C=2.6 \quad L=20 \quad H=3$$

$$\begin{aligned} &= 2.6 (20) (3)^{1.5} \\ &= \underline{270 \text{ cfs}} \end{aligned}$$

Because of the large Surface Area (⁴⁶1050 Ac @ 2nd Spillway Elev.) the NRCS flood routing indicates a Q_{50} peak = 674 cfs is Routed through the dam with only 25 cfs thru 2nd spillway.

Section 74:02:08:09

1. Topo Map - OK
2. Dam Axis - OK
3. Dam Max X-Sec. - OK
4. Area Capacity - OK
5. Outlet Details - OK
6. Spillway Rating - OK
7. Spillway Details - OK
8. Specs - STD NRCS - OK
9. EPP - N/A Cat. 3 - OK

NRCS Annual Yield

$$DA = 1050, CN = 83, ISO = 2\frac{1}{2}$$

$$80\% \text{ chance} = 0.5$$

$$0.5 \times 1050^{1/2} = \underline{44 \text{ Ac-Ft}}$$

$$50\% \text{ chance} = 1.1$$

$$1.1 \times 1050^{1/2} = \underline{96 \text{ Ac-Ft}}$$

$$10\% \text{ chance} = 2.5$$

$$2.5 \times 1050^{1/2} = \underline{220 \text{ Ac-Ft}}$$

REPORT ON
WATER PERMIT APPLICATION NO. 2451-2

Kenneth L. Fisher
December 20, 2000

Water Permit Application No. 2451-2 has been filed by Kenneth L. Fisher to impound 128.6 acre-feet of water from runoff by constructing a dam located in the NW 1/4 SW 1/4 of Section 10-T100N-R78W, in Tripp County. The application also requests impoundment of sufficient water to maintain water at the outlet elevation. The water will be used for fish and wildlife propagation, recreation and livestock watering.

Discussion:

The dam will be classified as a small size, Category 3, Low Hazard dam. The Natural Resources Conservation Service (NRCS) has designed the project. The plans and specifications have been reviewed and will be approved; however, construction of the dam can not begin until Water Permit Application No. 2451-2 is approved.

The Fisher Dam will be 13 feet high with a normal storage capacity of 128.6 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 399 acre-feet with a reservoir level at the top of dam elevation. A dam of this size and hazard classification is required to have a minimum spillway design capable of passing a 25-year frequency event.

The dam has a drainage area of 1.64 square miles. A 25-year frequency event for this drainage area produces a peak runoff of approximately 423 cfs. The dam is designed to have an 18 inch diameter primary spillway with 5 feet of available freeboard and a 20 foot wide earthcut secondary spillway with 3 feet of available freeboard. The secondary spillway will have a capacity of approximately 270 cfs. Because of the large surface area (46 acres at the secondary spillway elevation), the NRCS flood routing indicates that a 50-year frequency event peak of 674 cfs is routed through the dam with only 25 cfs in the secondary spillway.

The annual yield for this drainage area with an 80 percent chance of occurrence, or 8 out of 10 years, is expected to be 44 acre-feet. The annual yield with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be 96 acre-feet and the annual yield with a 10 percent chance, or 1 out of 10 years, is expected to be 220 acre-feet.

The Fisher Dam will be located in the NW 1/4 SW 1/4 of Section 10-T100N-R78W on an unnamed tributary of Cottonwood Creek about two miles upstream of its confluence with Cottonwood Creek and 15 miles upstream of the confluence of Cottonwood Creek and the White River. There are no existing Water Permits/Rights located on the unnamed tributary or Cottonwood Creek between the proposed dam and the White River.

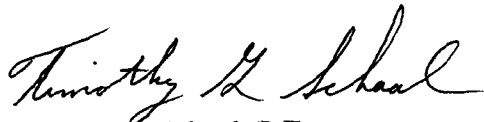
Page 2

Application No. 2451-2

Kenneth L. Fisher

Conclusions:

1. Water Permit Application No. 2451-2 should be approved since unappropriated water is available and approval should not have any adverse effect on existing Water Permits/Rights.
2. If approved, the low flow bypass requirement for downstream domestic use should be a qualification on Water Permit Application No. 2451-2.



Timothy G. Schaal, P.E.

Natural Resources Engineer Specialist

Approved by:



Gale N. Selken, P.E.

Natural Resources Engineer Director



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2451-2, Kenneth L. Fisher**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 2451-2, Kenneth L. Fisher, 414 Linden, New Ulm, MN 56073.

The Chief Engineer is recommending APPROVAL of Application No. 2451-2 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) it is in the public interest with the following qualifications:

1. Water Permit No. 2451-2 authorizes a dam with a storage capacity of 128.6 acre feet of water and sufficient water annually to maintain the water level to the outlet elevation.
2. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.

See report on application for additional information.

Garland Erbele, Chief Engineer
January 5, 2001

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, County of Tripp-ss.

Mylan Schroeder

of said county being first duly sworn, on oath says that he is the publisher of the

ADVOCATE

a weekly newspaper printed and published at Winner, said county of Tripp, and has full and personal knowledge of all the facts herein stated that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies weekly and has been published within said County for fifty-two successive weeks prior to the publication of the notice herein mentioned, and was printed wholly or in part in an office maintained at said place of publication; that the

34 lines @ 2 col rate x 802

NOTICE OF APPLICATION NO. 2451-2 to Appropriate Water

Notice is given that Kenneth L. Fisher, 414 Linden, New Ulm MN 56073 has filed an application for a water permit to impound 128.6 acre-feet of water from runoff by constructing a dam located in the NW1/4SW1/4 Section 10 with water impounded in the SW1/4, W1/2SE1/4, SE1/4SE1/4 Section 10 and the NE1/4NE1/4 Section 15; all in T100N-R78W. This application requests impoundment of sufficient water to maintain water at the outlet elevation and is to be used for fish and wildlife propagation, recreational and domestic uses.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2451-2 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 Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 5, 2001.

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 Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. (3-4 2294)

Kenneth Fisher

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this affidavit, was published in said newspaper at least one in each week for 2 successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

1-17-01

1-24-01

That the full amount of the fees for the publication of the annexed notice is \$38.20

Subscribed and sworn to before me this

24th

day of

January

2001

Patricia Kevin

Notary Public

County of Tripp, South Dakota

My Commission Expires

11-05-03





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 5, 2001

Winner Advocate
Box 71
Winner SD 57580

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2451-2 to Appropriate Water to be published twice. Please publish the first notice on January 17, 2001 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 Kenneth L. Fisher, 414 Linden, New Ulm, MN 56073 (Ph # 507-354-2736).

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 2451-2

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

Date _____

We are in receipt of your letter of January 5, 2001 enclosing Notice of Hearing to Appropriate Water by Application No. 2451-2 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

January 5, 2001

Kenneth L Fisher
414 Linden
New Ulm, MN 56073

Dear Mr. Fisher:

Water Permit Application No. 2451-2 for fish & wildlife Propagation and recreation 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 Winner Advocate printed at Winner, SD (Ph #605-842-1481). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper – Publish first Notice on January 17, 2001 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2451-2 to Appropriate Water

Notice is given that Kenneth L. Fisher, 414 Linden, New Ulm MN 56073 has filed an application for a water permit to impound 128.6 acre-feet of water from runoff by constructing a dam located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10 with water impounded in the SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15; all in T100N-R78W. This application requests impoundment of sufficient water to maintain water at the outlet elevation and is to be used for fish and wildlife propagation, recreational and domestic uses.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2451-2 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 Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 5, 2001.

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 Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 5, 2000

Kenneth L. Fisher
414 Linden
New Ulm, MN 56073

Dear Mr. Fisher:

We have reviewed the plans and specifications for your dam project located in the SW 1/4 of Section 10-T100N-R78W, in Tripp County. The plans and specifications as submitted are approved. Approval of the plans and specifications does not authorize construction of the dam. The construction may not begin until Water Permit Application No. 2451-2 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 you, as owner of the dam, from the responsibility for operating and maintaining the dam in good repair to ensure the safety of the dam.

The Fisher Dam will be classified as a small size Category 3, Low Hazard dam with a dam height of 13 feet and a normal storage capacity of 128.6 acre-feet and a maximum storage capacity of 399 acre-feet.

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

Sincerely,

Gale N. Selken, P.E.
Natural Resources Engineer Director
for Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

c: Lee Ozane, NRCS, Kennebec
William Engel, Conservation District, Winner
Paul Coughlin, GF&P



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 15 2001

Kenneth L. Fisher
414 Linden
New Ulm, MN 56073

Dear Mr. Fisher:

Enclosed is Water Permit No. 2451-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

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

Sincerely,

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

enclosures

Date Feb 16 - 01

FROM:

Ken Lee Fisher
(name)

(name)
414 London St
(address)

(address)
New Ulm, Minn 56073
(city, state, zip) (ph)

(phone)
507-354-2736

Water Permit No. 416666 states that the water use system is to be constructed by

_____, and water is to be put to beneficial use by 8-25-01
(date) (date)

The water use system was completed on app 8-25-01
(date)

Applying the water to beneficial use was completed on 08-25-01
(date)

Kenneth J. Fisch
(signature)



Permit No. 2451-2
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, **October 17, 2001**, made a thorough examination of the water use system constructed by **Kenneth L. Fischer** of **414 Linden, New Ulm, MN 56073** holder of Permit No. **2451-2**, bearing the priority of **November 1, 2000** authorizing the storage of **128.6** acre-feet of the waters of **runoff** for **fish & wildlife production and recreation** purposes, in **Tripp** County.

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

A. Works used to divert the water:

A 13 foot high dam with an 18 inch primary spillway and a 30 foot wide (P&S had 20 ft.) secondary spillway, that stores 128.6 acre-feet of water at the primary spillway elevation

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

N/A

C. Works used to apply water to beneficial use:

A 13 foot high dam with an 18 inch primary spillway and a 30 foot wide (P&S had 20 ft.) secondary spillway, that stores 128.6 acre-feet of water at the primary spillway elevation

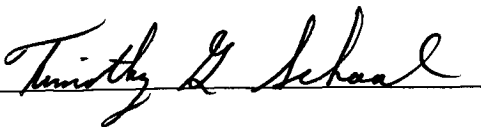
The system is in the following condition **good**. The point of diversion is located **2100 ft. north & 750 ft. east of the SW corner of Sec. 10-T100N-R78W (NW 1/4 SW 1/4)**. The works are capable of storing **128.6** acre-feet of water which is to be used for **fish & wildlife production and recreation**. Water has been put to beneficial use to the maximum extent as follows:

A 13 foot high dam with an 18 inch primary spillway and a 30 foot wide (P&S had 20 ft.) secondary spillway, that stores 128.6 acre-feet of water at the primary spillway elevation

and the license should be issued for **128.6** acre-feet of storage.

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

Exceptions to compliance are: **none** Date Report Completed: **January 18, 2002**



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

REPORT ON INSPECTION OF PERMIT NO. 2451-2

Other permit(s) associated with the project: XXXX

DATE OF INSPECTION: October 17, 2001

NAME & ADDRESS OF INSPECTION CONTACT/ Kenneth Fischer

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Kenneth L. Fischer, 414 Linden, New Ulm, MN 56073

DIVERSION POINT LEGAL LOCATION: 2100 ft. north & 750 east of the SW corner of

Sec. 10-T100N-R78W (NW 1/4 SW 1/4).

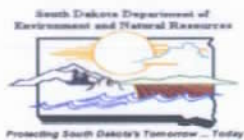
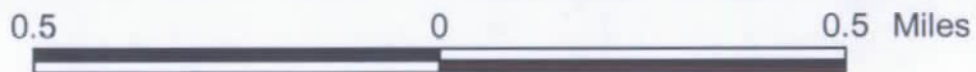
DAM INFORMATION:

- 1) Height to crest 13 feet
- 2) Height to primary spillway 8 feet
- 3) Height to secondary spillway 10 feet
- 4) Crest width 12 feet
- 5) Crest length 435 feet
- 6) Spillway length XXX feet
- 7) Spillway width 30 feet (P&S had 20 ft.)
- 8) Approx. storage (Normal) 128.6 acre-feet
- 9) Approx. storage (Maximum) 399 acre-feet
- 10) Date constructed: August 25, 2001

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

WATER PERMIT APPLICATION No. 2451-2



Timothy G. Schaal
Timothy G. Schaal, P.E. 1/18/02
Natural Resources Engineer Specialist
Water Rights Program

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2451-2

(1) Kenneth L. Fischer, 414 Linden, New Ulm MN 56073 made Application No. 2451-2, November 1, 2000 for a water permit to impound 128.6 acre-feet of water from runoff, Tripp County, South Dakota for fish & wildlife propagation, recreation and domestic purposes. Permit No. 2451-2, with a priority date of November 1, 2000 was approved February 5, 2001 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 5, 2006 and for the application to beneficial use of said water on or before February 5, 2010.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on September 23, 2001. The *Notice* stated the diversion system was completed on August 25, 2001 and the water placed to beneficial use on August 25, 2001.

(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 storage dam and is entitled to impound 128.6 acre-feet of water for beneficial use with sufficient water annually to maintain the water level to the outlet elevation. The location of the storage dam (spillway) is 2,100 feet north and 750 feet east of the southwest corner of Section 10-T100N-R78W (NW ¼ SW ¼).

(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 Kenneth L. Fischer, 414 Linden, New Ulm MN 56073 the holder and/or owner of Water Right No. 2451-2 is issued a license to appropriate water, the right to impound 128.6 acre-feet of water from runoff with sufficient water annually to maintain the water level to the outlet elevation with a priority date of November 1, 2000 from the location specified in (2) of this license for fish & wildlife propagation, recreation and domestic purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2451-2 and subject to South Dakota State Law.

Garland Erbele

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

MAR 04 2002

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 04 2002

2451-2

Kenneth L. Fischer
414 Linden
New Ulm, MN 56073

Dear Mr. Fischer:

Enclosed is Water License No. 2451-2. This is the final water right document completing your 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.

Sincerely,

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

enclosures