

WATER PERMIT NO. 2470-2

Name of Applicant: Robert Calkins

Address: HCR 32 Box 97, Ft. Pierre SD 57532

Phone: 605 223-3139

Amount of Water Claimed: 52 acre-feet

Total Acres: NA

Source of Water Supply: runoff

Water to be used for: livestock water

County: Jones

Type of Waste Disposal System:

Location: about 15 miles southwest of Ft. Pierre

PRIORITY

Date Received: 9-24-2001

Fee: \$150

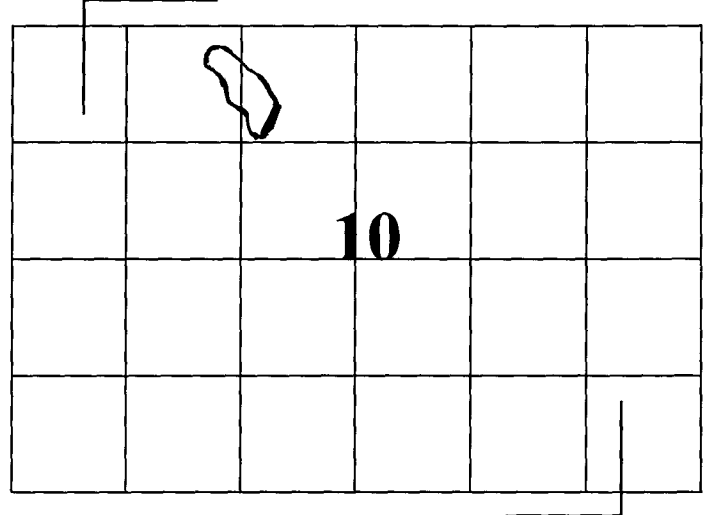
Corrected Application Received::

Period of Annual Use: April 1 – September 30

Remarks:

Diversion Point: NE ¼ NW ¼ Sec 10-T2N-R30E

Water Impounded: N ½ NW ¼ Sec 10-T2N-R30E



Depth of Well: NA

Well Driller: : NA

Remarks:

Type of Map: areial

Prepared by: Kevin Paulson, NRCS

Reviewed and the Number Assigned on: 10-4-2001

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 2470-2**

Date of first receipt of application September 24, 2001.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2470-2 to Robert Calkins, HCR 32 Box 97, Ft. Pierre SD 57532 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. 2470-2 authorizes impoundment of 52 acre-feet of water from runoff by constructing a dam located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10 with water impounded in the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10; all in T2N-R30E.
2. The water appropriated shall be used for the purpose of supplying water for livestock watering 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. 2470-2 is December 3, 2001.
5. The date from which applicant may claim right is September 24, 2001.
6. One-fifth of the construction is to be completed on or before June 3, 2004.
7. All construction is to be completed on or before December 3, 2006.
8. Water is to be put to beneficial use on or before December 10, 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. 2470-2 authorizes a dam with a storage capacity of 52 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

JAN 15 2002

date



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



Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 2470-2 Hydrologic Unit 10140102
Basin Bad River
Newspaper Murdo Coyote, Murdo
(office use only)

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

Check use of water:

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

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.) _____

- Name of Applicant Robert Calkins Phone 223-3139
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address HCR 32 Box 97 Pt. Pierre State South Dakota 57532
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed _____ *CFS or _____ **GPM 52 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet -- storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Runoff
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) (NE 1/4 NW 1/4)
2,500' west and 1000' south of the NW corner of Sec. 10 T.2N. R.30E.
Water Impounded: N 1/2 NW 1/4 Sec. 10-T2N-R30E County Jones
- County or counties where water will be used Jones
- Annual period during which water is to be used Apr - Sept 30
- 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)
See attached design

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)

STATE OF SOUTH DAKOTA)

County of Hughes)^{SS}

I, _____, 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 Robert Calkins

Subscribed and sworn to before me this 24th day of September 19 2001

Bridget my Commission Expires 7/20/06
Notary Public

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. Wastewater Disposal System Information

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

3. Dugout Information

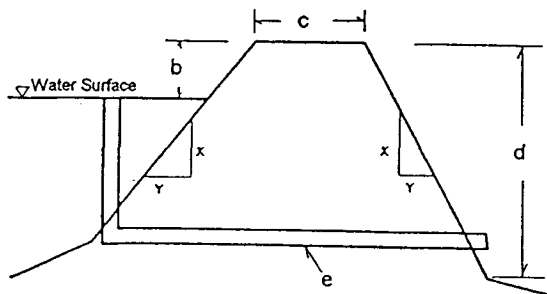
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

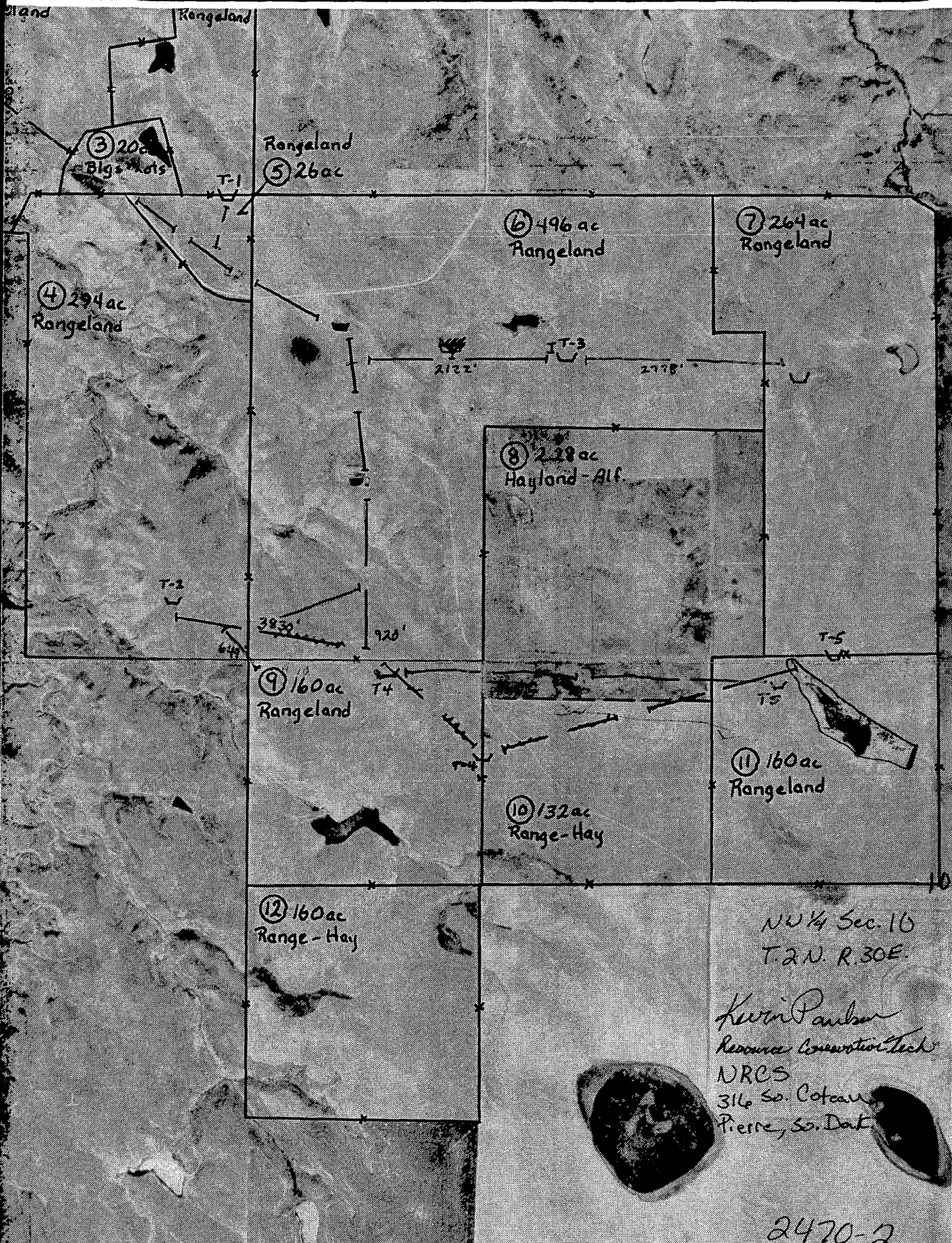
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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

Kevin Paulsen NRCS 224-1694
316 So. Coteau
Pierre, So. Dak. 57501



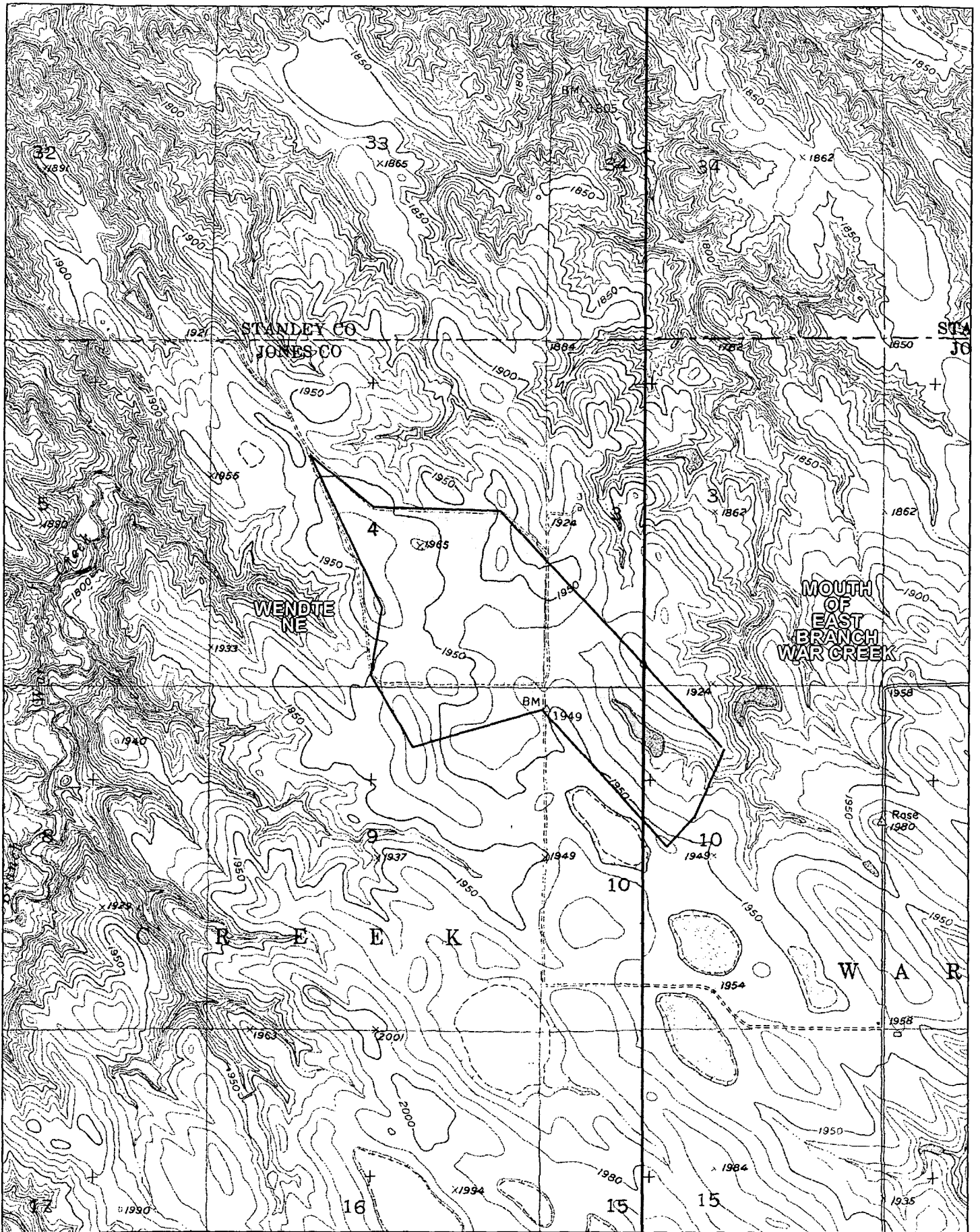
- b) Freeboard 3.0
- c) Crest Width 12.0
Crest Length 400.0
- d) Height 19.0'
- e) Primary Outlet Capacity N/A
If pipe, diameter _____
- f) Secondary Spillway Capacity 5.3 cfs
Spillway Width 46 feet
- g) X & Y Slope
Upstream 3:1
Downstream 3:1
- h) Surface Area of Impoundment 10.2 Ac
- i) Storage 52 Acre Feet
- j) Drainage Area Above Dam 340 Acres



NW 1/4 Sec. 10
T.2 N. R. 30 E.

Kevin Paulsen
Resource Conservation Tech
NRCS
316 So. Coteau
Pierre, So. Dak.

2470-2



2470-2

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

416923

Pierre, September 24, 2001

RECEIVED OF Robert Calkins, HCR 32 Box 97, Ft. Pierre, SD 57532
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 2470-2 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. 2470-2	50	00
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for		
(Any Other Work Provided by Law)	Total	200 00

By

Darland Erbe

Chief Engineer

gm

Mail to: Water Rights Div.
DENR, Foss Bldg.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

Stanley
County

1. Robert Calkins _____, of _____
Name

HCR 32 Box 97 Ft. Pierre, So. Dak. 57532
Address & Zip Code

Stanley
County

Owner, of the following described land, do hereby
(owner or operator)

notify the Water Management Board of the State of South Dakota and all others concerned that I am exercising my right under SDCL 46-4, for construction of a Dam for the purpose of impounding runoff waters (dam or dugout)

for livestock purposes.
(type of use i.e. livestock, recreation, etc.)

The following data is presented in compliance with SDCL 46-4-3 and 46-4-4.

(1) Date of:

(a) This notice _____

(b) Proposed construction 10-30-01

(2) Legal description of the land upon which the dam/dugout is located:

NE 1/4 NW 1/4 ^{Sec.} 10 T. 2 N. R. 30 E
(describe to the nearest 40 acre subdivision)

(3) Location of the dam/dugout from a section corner:

2,500' west and 1,000' South of the NW corner of Sec. 10 T.2N. R. 30E.
(describe distance N.S.E.W. in feet from the corner)

(4) County Jones

(5) The owner of the land Robert Calkins

(6) Acre feet of water claimed annually 12.4 Ac. Feet

Notes: If the storage of the proposed structure at the spillway crest or overflow elevation exceeds twenty five (25) acre feet, a water permit from the Water Management Board is required.

A location notice is only required on a dugout, if the dugout captures surface runoff waters.



(7) Complete the following information for the proposed dam/dugout:
Items to be completed for a dugout

*a) Dam/Dugout designed by Kevin Paulsen

316 So. Coteau Pierre, South Dakota
(name and address)

b) Freeboard 3.0'

c) Crest Width 12.0'

Crest Length 400.0'

d) Height 19.0'

* Depth, if Dugout N/A

e) Outlet Dimensions:

Pipe diameter N/A

Spillway width N/A

f) X & Y Slope:

Upstream 3:1 SS

Downstream 3:1 SS

*g) Water surface area 10.2

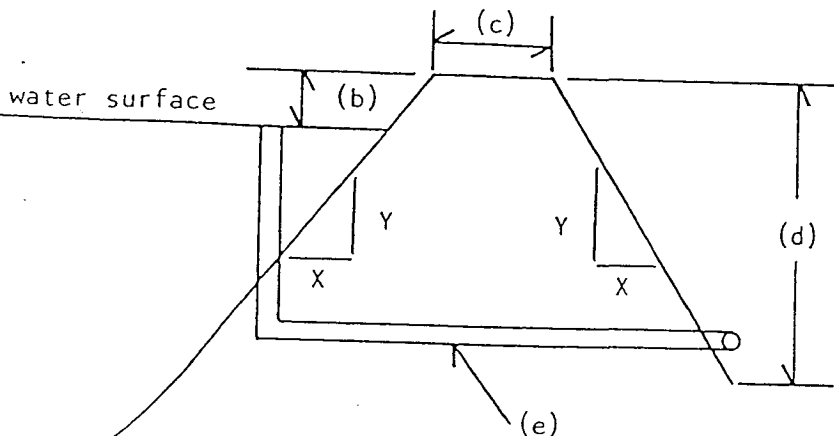
*h) Storage at spillway crest or overflow elevation
(acre feet) 52.0

i) Maximum storage to top of dam

(acre feet) 85.0

*j) Drainage area above dam/dugout

(acres) 340.0



Enclosed is ten dollars (\$10.00). The Water Management Board is requested to file this copy of the Location Notice in their official records. The original Location Notice has been filed (do not record) with the Register of Deeds of _____ County in accordance with SDCL 46-4-3.

Robert P Calkins

owner

STATE OF SOUTH DAKOTA
COUNTY OF Hughes

ss

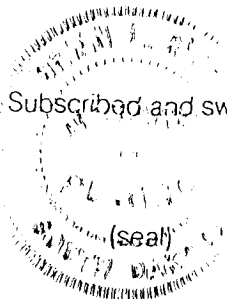
locator

I, _____ the applicant, certify that I have read this Location Notice and that the matters stated in this notice are true and that I intend, and am able to start construction within sixty days after the filing of this notice.

Signed

Robert P Calkins

Subscribed and sworn to before me this 24th day of September, 18 2001

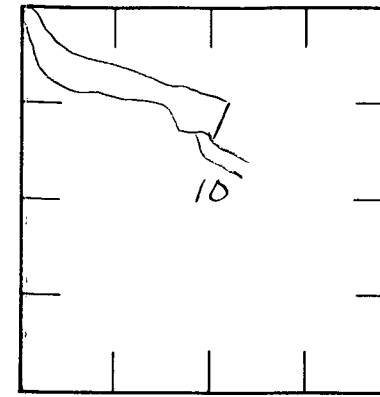


B. J.

my commission expires 7/20/06
notary public

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.
340	12.4	246	5.3	15.5	10.2		52

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.
340	12.4	246	5.3	15.5	10.2		52

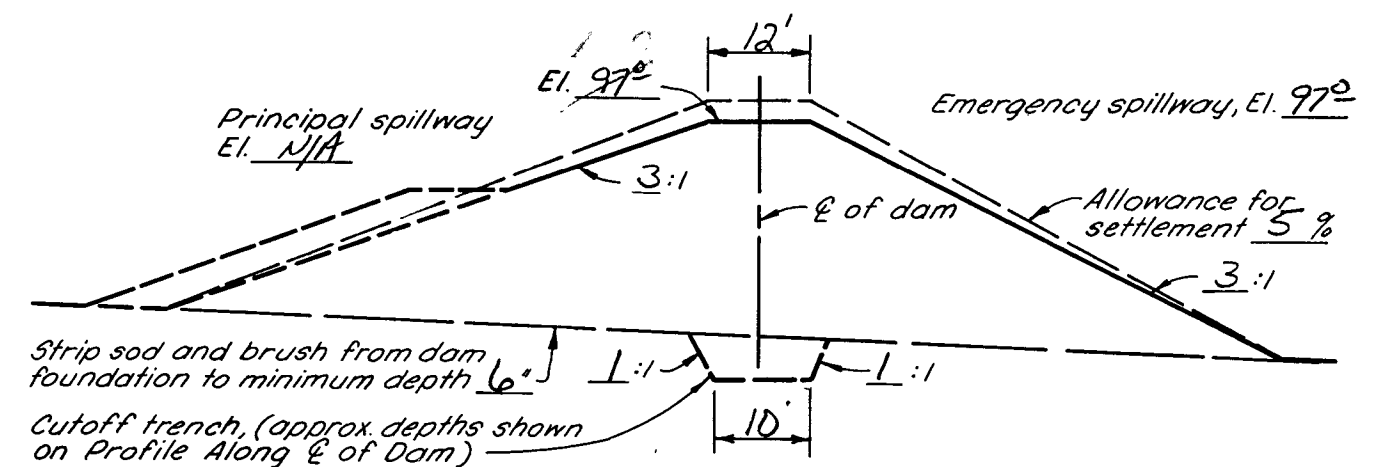


Sec. 10T. 2N. R. 30E
Jones County

A hand-drawn map showing a large, irregularly shaped area labeled "Pond". To the left of the pond, the text "Class 'A' Hazard" is written. In the bottom right corner, there is a scale bar labeled "46'". A small rectangular box in the top right corner contains the text "Sec 1".

Approximate scale $1'' = \underline{N/A}$

REFERENCE: GUIDE PLAN NO. 1.0

[illegible]

S.D. CONSTRUCTION AND MATERIAL SPECIFICATIONS:

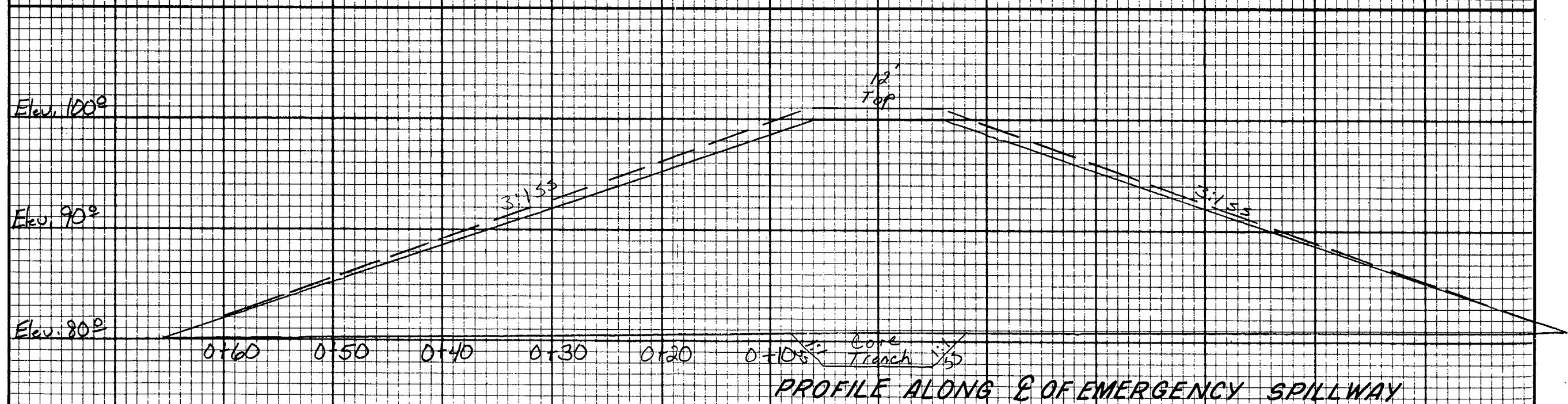
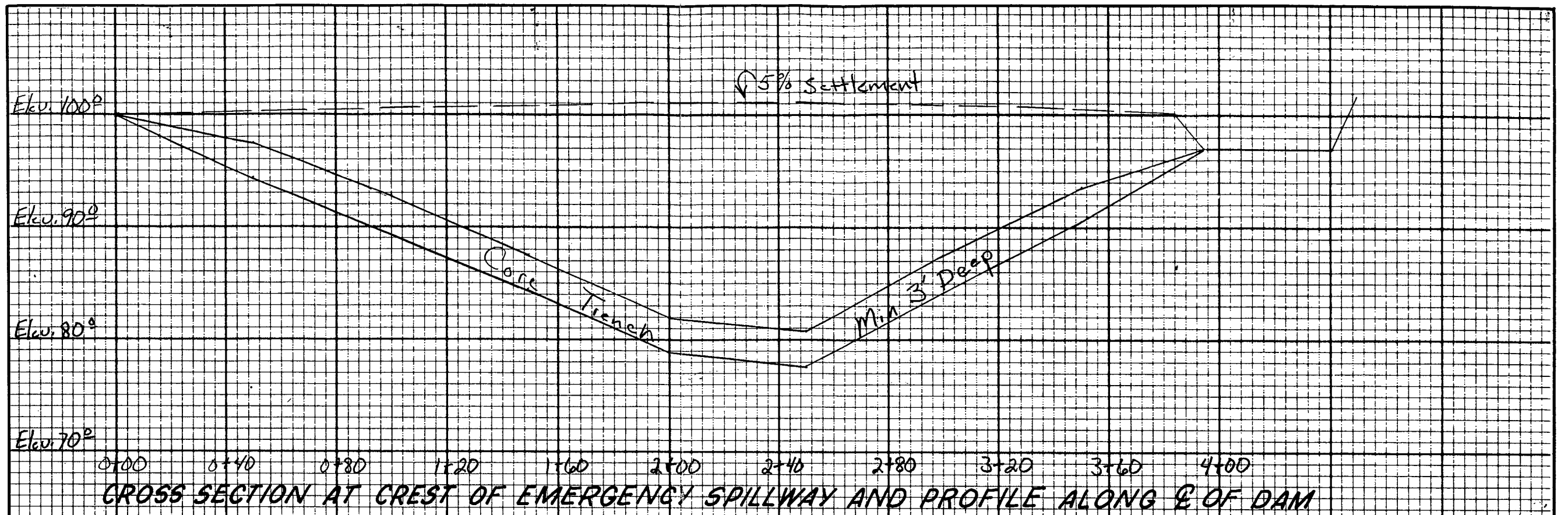
SD-4 Stripping
SD-7S Earth Fill - Class S

OPERATOR: Robert Calkins

CONSERVATION DISTRICT: Stanley Co.

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed: K Paulsen Date: 8-24 Approved by: Karin L. Paulsen
Title: ASST
Drawn: _____ Title: Case
Traced: _____ Title: by Engle
Sheet _____ Drawing No. _____
No _____
Checked _____ of _____



MAXIMUM CROSS SECTION OF DAM

SEDIMENT YIELD

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

Client : Robbie Calkins
 County : Stanley
 Practice: Pond

State: SD

By: klp
 Checked: _____

Date: _____
 Date: _____

Drainage Area : 340 Acres
 Curve Number : 80
 Watershed Length : 5000 Feet
 Watershed Slope : 1 Percent
 Time of Concentration: 1.92 Hours
 Rainfall Type : II

Storm Number	1	2	3	4	5	6	7
Frequency (yrs)	1	2	5	10	25	50	100
24-Hr Rainfall (in)	1.8	2.1	2.9	3.4	4	4.4	5.1
Ia/P Ratio	0.28	0.24	0.17	0.15	0.13	0.11	0.10
Used	0.28	0.24	0.17	0.15	0.13	0.11	0.10
Runoff (in)	0.44	0.62	1.18	1.56	2.04	2.38	2.98
Unit Peak Discharge (cfs/acre/in)	0.304	0.317	0.339	0.347	0.354	0.358	0.362
Peak Discharge (cfs)	46	67	135	184	246	289	367

2 yr Storm yield = 17.5 Ac.

$$340 \times 2,500 = \frac{850,000}{43,560} = 19.5 \times .5 = 9.7 \text{ sur. Ac.}$$

$$9.7 \times 13.5 \times .4 = 52 \text{ Ac. Ft.}$$

Water Permit Application No. 2470-2
Robert W. Calkins

Top of Dam Elev. - 100.7
Spillway Elev. - 97
Dis. Toe Elev. - 81

Ht. = 19 ft

Cat. 3 - Low Hazard Dam

Normal Storage Capacity - 52 Ac-Ft
Max. Storage Capacity - 85 Ac-Ft

Max Capacity x Ht. = $85 \times 20 = 1700 < 3000 \therefore$ 25 year
Minimum Spillway Design

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

$$DA = 340 \text{ Ac} = 0.53 \text{ mi}^2$$

$$\text{Slope} = 60 \text{ ft/mi}$$

$$S_i = 1.76$$

$$Q_{25} = 83.4 A^{.65} S^{.46} S_i^{-.67}$$

$$= 83.4 (0.53)^{.65} (60)^{.46} (1.76)^{-.67}$$

$$= 83.4 (.6847) (6.05) (0.3697)$$

$$= \underline{130 \text{ cfs}}$$

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

$$= 132 (0.53)^{.65} (60)^{.46} (1.76)^{-.67}$$

$$= 132 (.6679) (6.57) (0.6847)$$

$$= \underline{394 \text{ cfs}}$$

Spillway Floor

$$Q = CLH^{7/2}$$

$$C = 2.6$$

$$L = 46$$

$$H = 3$$

$$= 2.6 (46) (3)^{7/2}$$

$$= \underline{620 \text{ cfs}}$$

Section 74:02:08:09

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

NRCS Annual Yield

$$DA = 340 \text{ Ac} \quad CN = 80 \quad ISO = 2$$

$$80\% \text{ chance} = 0.25$$

$$0.25 \times 340/12 = \underline{7 \text{ Ac-Ft}}$$

$$50\% \text{ chance} = 0.64$$

$$0.64 \times 340/12 = \underline{18 \text{ Ac-Ft}}$$

$$10\% \text{ chance} = 2.50$$

$$2.50 \times 340/12 = \underline{71 \text{ Ac-Ft}}$$



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 7, 2001

Robert Calkins
HCR 32 Box 97
Ft. Pierre, SD 57532

Dear Mr. Calkins:

We have reviewed the plans and specifications for the design of your dam project located in the NE 1/4 NW 1/4 of Section 10-T2N-R30E, in Jones County. The plans and specifications as submitted are approved. Approval of the plans and specifications does not authorize construction of the dam. The construction of the dam may not begin until Water Permit No. 2470-2 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 Calkins Dam will be classified as a small size Category 3, Low Hazard dam with a dam height of 19 feet and a normal storage capacity of 52 acre-feet and a maximum storage capacity of 85 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: Kevin Paulsen, NRCS, Pierre
Dave Konechne, NRCS, Pierre

REPORT ON
WATER PERMIT APPLICATION NO. 2470-2
Robert Calkins
November 5, 2001

Water Permit Application No. 2470-2 has been filed by Robert Calkins to impound 52 acre-feet of water from runoff by constructing a dam located in the NE 1/4 NW 1/4 of Section 10-T2N-R30E, in Jones County. The application also requests impoundment of sufficient water to maintain water at the outlet elevation. The water will be used for 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. 2470-2 is approved.

The Calkins Dam will be 19 feet high with a normal storage capacity of 52 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 85 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 340 acres (0.53 square miles). A 25-year frequency event for this drainage area produces a peak runoff of approximately 130 cfs. A 100-year frequency event produces a peak of approximately 394 cfs. The dam is designed to have a 46 foot wide earthcut spillway with 3 feet of available freeboard. The spillway will have a capacity of approximately 620 cfs.

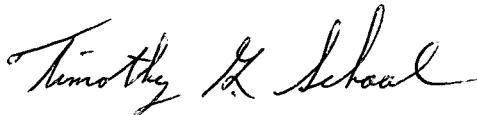
The annual yield for this drainage area with an 80 percent chance of occurrence, or 8 out of 10 years, is expected to be 7 acre-feet. The annual yield with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be 18 acre-feet and the annual yield with a 10 percent chance, or 1 out of 10 years, is expected to be 71 acre-feet.

The Calkins Dam will be located in the NE 1/4 NW 1/4 of Section 10-T2N-R30E on an unnamed tributary of the West Branch of War Creek about three miles upstream of its confluence with War Creek. There are no existing Water Permits/Rights located on the unnamed tributary between the proposed dam and the West Branch of War Creek.

Page 2
Application No. 2470-2
Robert Calkins

Conclusions:

1. Water Permit Application No. 2470-2 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. 2470-2.



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. 2470-2, Robert Calkins**

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. 2470-2, Robert Calkins, HCR 32, Box 97, Ft. Pierre SD 57532.

The Chief Engineer is recommending APPROVAL of Application No. 2470-2 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. 2470-2 authorizes a dam with a storage capacity of 52 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
November 7, 2001

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

)ss

COUNTY OF JONES

Donna Koehn

_____, of said County and State, being duly sworn, on oath says: THE MURDO COYOTE is a weekly newspaper of general circulation, printed and published in MURDO, in said County and State and has been such newspaper during the times hereinafter mentioned; that the said THE MURDO COYOTE is a legal newspaper and has been in existence for more than one year immediately preceding the first publication herein mentioned; and has more than 200 bonafide subscribers; that I, the undersigned, am _____ Legal Advertising Manager _____, of said newspaper, and in charge of the advertising department thereof, and have personal knowledge of all facts stated in this affidavit; and that the advertisement headed

Notice of Application No. 2470-2 to Appropriate Water

a printed copy of which is hereto attached, was printed and published in said newspaper for _____ 2 _____ successive issues, the first publication being on the _____ 15th _____ day of _____ November _____, 20 01 and the last publication on the _____ 22nd _____ day of _____ Nov. _____, 20 01 that \$39.80 being the full amount of the fee for publication of the annexed notice insures solely to the benefit of the publishers of the said newspaper; that no arrangement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

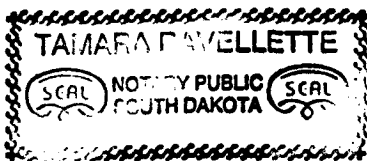
Donna Koehn

Subscribed and sworn to before me this _____ 29th _____ day of _____ November _____, 20 01 _____.

Tamara Ravelllette

Notary Public, State of South Dakota

My Commission Expires
January 24, 2002



Notice of Application No. 2470-2 to Appropriate Water

Notice is given that Robert Calkins, HCR 32, Box 97, Ft. Pierre, SD 57532 has filed an application for a water permit to impound 52 acre-feet of water from runoff by constructing a dam located in the _____ Section 10 with water _____ in the N1/2 NW1/4 _____ This application is for the _____ of sufficient water to maintain water at the out-let elevation and will be used for livestock watering.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2470-2 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 the 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 December 3, 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.

[Publish November 15 & 22, 2001]

Instruction to Newspaper - Publish first Notice on November 15, 2001 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2470-2 to Appropriate Water

Notice is given that Robert Calkins, HCR 32, Box 97, Ft. Pierre SD 57532 has filed an application for a water permit to impound 52 acre-feet of water from runoff by constructing a dam located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10 with water impounded in the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10; all in T2N-R30E. This application requests impoundment of sufficient water to maintain water at the outlet elevation and will be used for livestock watering.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2470-2 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 December 3, 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

November 7, 2001

Murdo Coyote
Box 465
Murdo, SD 57559-0495

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2470-2 to Appropriate Water to be published twice. Please publish the first notice on November 15, 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 Robert Calkins, HCR 32, Box 97, Ft. Pierre, SD 57532 (Ph # 605-223-3139).

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. 2470-2

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

Date _____

We are in receipt of your letter of November 7, 2001 enclosing Notice of Hearing to Appropriate Water by Application No. 2470-2 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.

November 7, 2001

Robert Calkins
HCR 32 Box 97
Ft. Pierre, SD 57532

Dear Mr. Calkins:

Water Permit Application No. 2470-2 for livestock water 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 Murdo Coyote printed at Murdo, SD (Ph # 605-669-2271). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 15 2002

Robert Calkins
HCR 32 Box 97
Ft. Pierre, SD 57532

Dear Mr. Calkins:

Enclosed is Water Permit No. 2470-2 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

Permit No. 2470-2
Bad 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, **November 4, 2009**, made a thorough examination of the water use system constructed by **Robert Calkins** of **HCR 32, Box 97, Ft. Pierre, SD 57532** holder of Permit No. **2470-2**, bearing the priority of **September 24, 2001** authorizing the storage of **52** acre-feet of the waters of **runoff** for **livestock watering** purposes, in **Jones** County.

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

A. Works used to divert the water:

A 19 ft. high earthen dam with a normal storage capacity of 52 acre-feet of water

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

N/A

C. Works used to apply water to beneficial use:

A 19 ft. high earthen dam with a normal storage capacity of 52 acre-feet of water

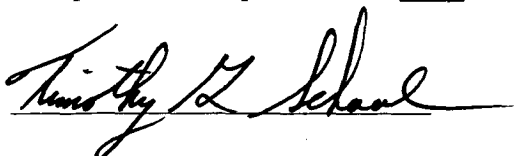
The system is in the following condition **good**. The point of diversion is located **1100 ft. south & 2500 ft. east of the NW corner of Section 10-T2N-R30E, (NE ¼ NW ¼), (Lat. 44.15097, Long. -100.496804)**. The works are capable of storing **52** acre-feet of water which is to be used for **livestock watering use**. Water has been put to beneficial use to the maximum extent as follows:

A 19 ft. high earthen dam with a normal storage capacity of 52 acre-feet of water

and the license should be issued for **52** acre-feet of storage.

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

Exceptions to compliance are: **none** Date Report Completed: **February 24, 2010**



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

REPORT ON INSPECTION OF PERMIT NO. 2470-2

DATE OF INSPECTION: November 14, 2009

NAME & ADDRESS OF INSPECTION CONTACT/ Robert Calkins, HCR 32, Box 97, Ft. Pierre, SD 57532

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: same

DIVERSION POINT LEGAL LOCATION: 1100 ft. south & 2500 ft. east of the NW corner of Section 10-T2N-R30E, (NE ¼ NW ¼), (Lat. 44.15097, Long. -100.496804).

DAM INFORMATION:

- 1) Height to crest 19 feet
- 2) Height to primary spillway 16 feet
- 3) Height to secondary spillway N/A feet
- 4) Crest width 12 feet
- 5) Crest length 400 feet
- 6) Spillway length XXX feet
- 7) Spillway width 46 feet
- 8) Approx. storage (Normal) 52 acre-feet
- 9) Approx. storage (Maximum) 85 acre-feet
- 10) Date constructed: 2001

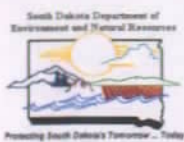
PERMIT QUALIFICATIONS AND REGULATIONS:

- 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 2470-2



0 0.25 0.5 1 Miles



Timothy G. Schaal 2/24/10

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

APR 09 2010

2470-2

Robert Calkins
22237 286th Ave
Fort Pierre SD 57532

Dear Mr. Calkins:

Enclosed is Water License No. 2470-2. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2470-2

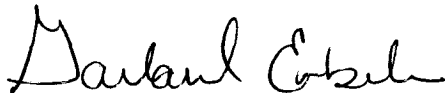
(1) Robert Calkins, 22237 286th Ave, Ft. Pierre SD 57532 made Application No. 2470-2, September 24, 2001 for a water permit to impound 52 acre feet of water from runoff, Jones County, South Dakota for livestock watering purposes. Permit No. 2470-2, with a priority date of September 24, 2001 was approved December 3, 2001 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 3, 2006 and for the application to beneficial use of water on or before December 10, 2010.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 2470-2 is issued a license, bearing a priority date of September 24, 2001, to impound 52 acre feet of water for livestock watering purposes.

The location of the storage dam (spillway) is 1,100 feet south and 2,500 feet east of the northwest corner of Section 10-T2N-R30E (NE ¼ NW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 2470-2, including the following now applicable qualifications:

- Water Permit No. 2470-2 authorizes a dam with a storage capacity of 52 acre feet of water and sufficient water annually to maintain the water level to the outlet elevation.
- Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.



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

APR 09 2010

date

