

WATER PERMIT NO. 2594-2

Name of Applicant: R Lee Smith

Address: 1200 River Place Boulevard, Jackson FL Phone: 904 993-6118

Amount of Water Claimed: 86 AF Total Acres: NA

Source of Water Supply: tributary of White River

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

Type of Waste Disposal System:

Location: 13 miles southeast of Vivian

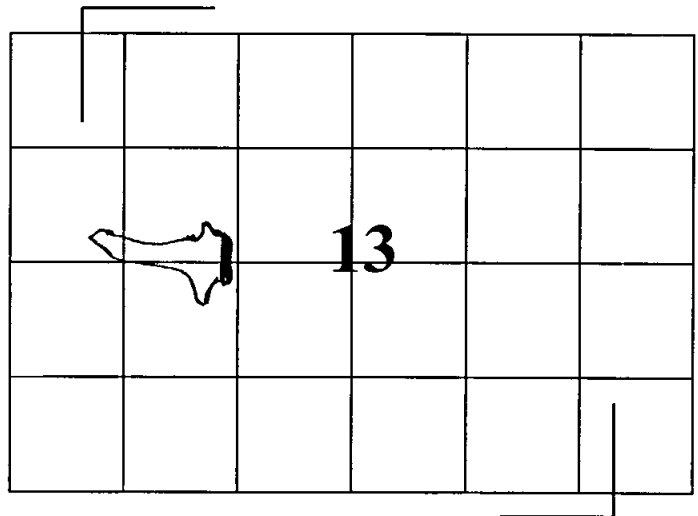
PRIORITY Date Received: 7-20-06 Application/License Fee: \$200

Corrected Application Received: Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NW ¼ SW ¼, SW ¼ NW ¼ Sec
13-T103N-R79W

Water Impounded: SW ¼ NW ¼, SW ¼ NW ¼,
Sec 13 and SE ¼ NW ¼ Sec 14; all in T103N-
R79W



Depth of Well: NA

Well Driller:

Remarks:

Type of Map: topo

Prepared by: Scott Schweitzer, PE

Reviewed and the Number Assigned on: 7-20-06

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SD EForm - 1585 V1

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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>25942</u> (office use only)	Hydrologic Unit <u>10140204</u>
	Basin <u>White River</u>	
	Newspaper <u>Lyman Co. Herald, Fresho</u>	

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JUL 20 2006

WATER RIGHTS
PROGRAM

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:
(check one)

- ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ 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 R. Lee Smith (check one) ☐ Owner ☐ Tenant/lessee Phone (904) 993-6118
Mailing Address 1200 River Place Boulevard Jackson State FL 32207
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed _____ *CFS or _____ **GPM 86.00 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Unnamed tributary to the White River
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Lyman
Water Impounded
Earthen dam on the S1/2, SW 1/4, NW 1/4, and the N1/2, NW1/4, SW1/4 of Section 13, and the SE 1/4, NE1/4 of Section 14, all in Township 103 North, Range 79 West, 5th PM div pt - NW1/4 SW1/4, SW1/4 NW1/4
- County or counties where water will be used Lyman
- Annual period during which water is to be used 12 months Jan 1 - Dec 31
- 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)

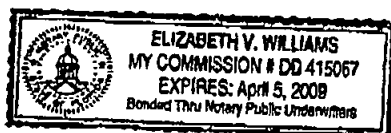
Florida
STATE OF SOUTH DAKOTA
County of Duval SS

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, R Lee Smith, 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 [Signature]Subscribed and sworn to before me this 19th day of July 20 06

Elizabeth N. Williams
Notary Public signature



SOUTH DAKOTA
WATER PERMIT NO. 2594-2

Date of first receipt of application July 20, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2594-2 to R. Lee Smith, 1200 River Place Boulevard, Jackson FL 32207 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. 2594-2 authorizes impoundment 86 acre-feet of water from an unnamed tributary to the White River by constructing a dam located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 13 with water impounded in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 13 and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14; all in T103N-R79W.
2. The water appropriated shall be used for the purpose of fish and wildlife propagation, recreation and livestock water purposes 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. 2594-2 is September 25, 2006.
5. The date from which applicant may claim right is July 20, 2006.
6. One-fifth of the construction is to be completed on or before March 25, 2009.
7. All construction is to be completed on or before September 25, 2011.
8. Water is to be put to beneficial use on or before September 25, 2015.
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. 2594-2 authorizes a dam with a storage capacity of 86 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

NOV 01 2006
date



Form 2A **Supplemental Information**
(Complete applicable portions only)

(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 _____

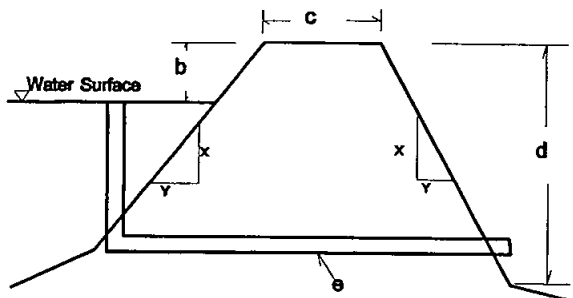
3. Dugout Information

- 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:



- b) Freeboard 5'
- c) Crest Width 14'
Crest Length 485'
- d) Height 41' 43"
- e) Primary Outlet Capacity _____
If pipe, diameter 12"
- f) Secondary Spillway Capacity _____
Spillway Width 75' / 20'
- g) X & Y Slope 3:1
Upstream 3:1
Downstream 3:1
- h) Surface Area of Impoundment 12 acres
- i) Storage 86.0 Acre Feet
- j) Drainage Area Above Dam 207.8 Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date H July 20, 2006

RECEIVED OF Drew - Wright Agency LTD., PO Box 158, Highmore SD 57345

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

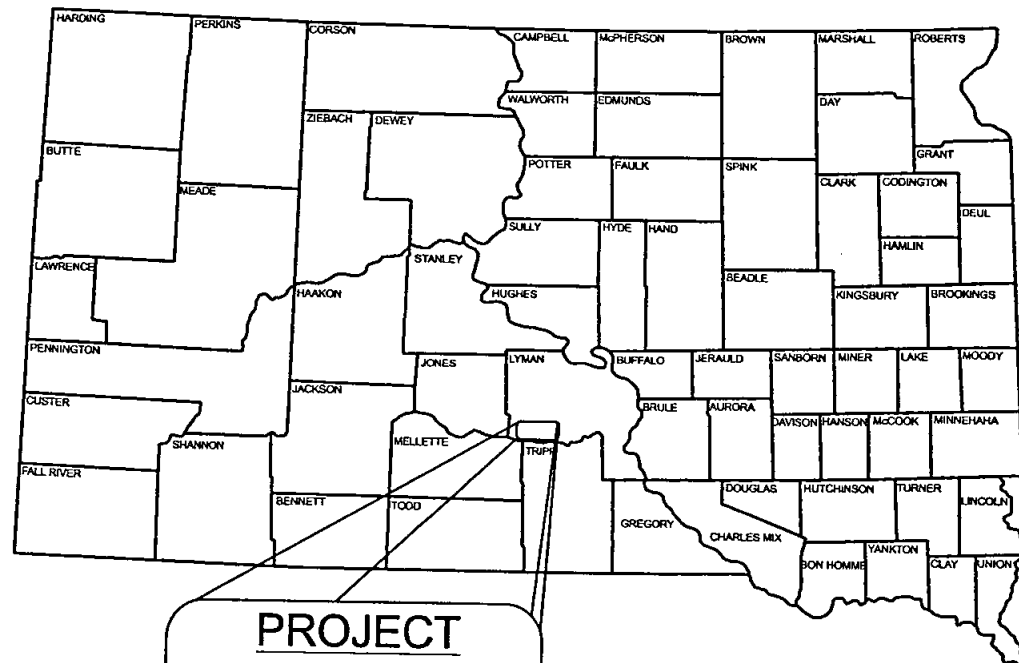
Fee for Application for Permit No. <u>2594-2</u> to Appropriate Water, to construct and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2594-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	200.00

No.

02814

By

Darland Elbe
Chief Engineer *grm*



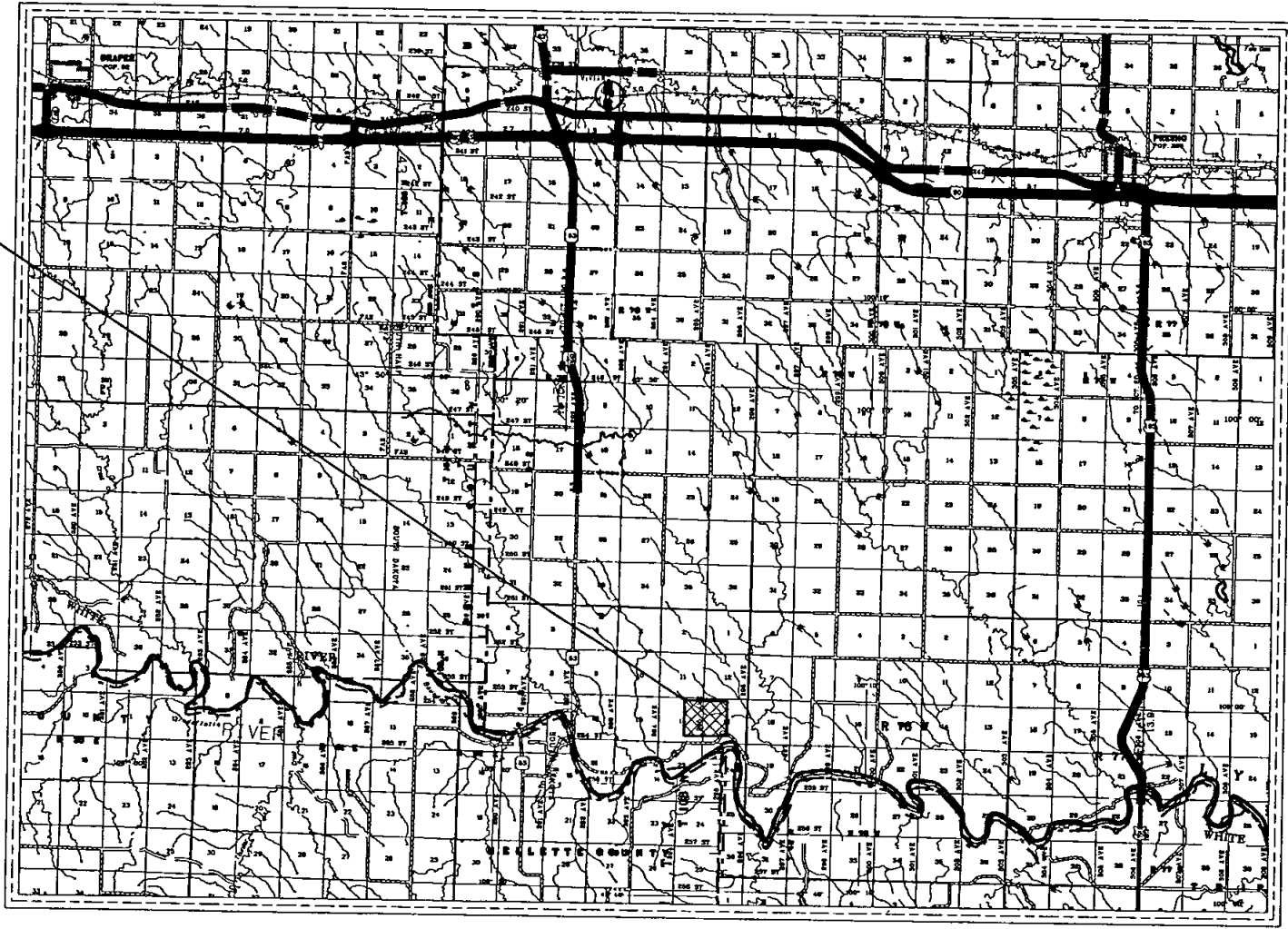
PROJECT
16 Miles South and
5 Miles East of
Vivian, South Dakota

PROJECT LOCATION
Section 13, T103N, R79W, the R.L. Smith Ranch

BROSZ ENGINEERING INC.
PLANS FOR PROPOSED
R.L. SMITH RANCH DAM
LYMAN COUNTY



INDEX OF SHEETS	
SHEET NO. 1	TITLE AND LAYOUT MAP
SHEET NO. 2	ESTIMATE OF QUANTITIES AND NOTES
SHEET NO. 3	LOCATION MAP
SHEET NO. 4	DAM INFORMATION AND DETAILS
SHEET NO. 5	TYPICAL SECTIONS
SHEET NO. 6	GENERAL DAM DRAWING
SHEET NO. 7	P&P
SHEET NO. 8-20	CROSS SECTIONS



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SCALES	
LAYOUT:	1 INCHES = 4.0 MILES
PLAN:	1 INCH = 40 FT.
PROFILE	{ HORIZONTAL: 1 INCH = 40 FT. VERTICAL: 1 INCH = 10 FT.
CROSS SECTION	{ HORIZONTAL: 1 INCH = 20 FT. VERTICAL: 1 INCH = 10 FT.

LEGEND	
STATE LINE	---
COUNTY LINE	---
SECTION LINE	---
QUARTER LINE	---
SIXTEENTH LINE	---
PROPERTY LINE	---
SURVEY LINE	---
R.O.W. LINE	---
CUTSLOPES	---
FILLSLOPES	---



1 OF 20
COMPLETED BY: SJS DATE PRINTED: 07/18/06 DATE REVISED: / /
PROJECT NAME: R.L. Smith Ranch Dam DESCRIPTION: Cover Sheet
PROJECT NUMBER:
Brosz Engineering, Inc. Registered in North Dakota, South Dakota, Wyoming, Montana, and Nebraska 3030 Alameda Rd., Suite A, Box 23 • Pierre, SD 57501 Phone: (605) 224-1123 • Fax: (605) 224-0689

SPECIAL PROJECT SPECIFICATIONS

The work on the project shall consist of removing and replacing topsoil, unclassified excavation and embankment, primary spillway installation, auxiliary spillway, the outfall of the primary spillway, and erosion control. The work shall include all labor, equipment, materials and fuel to complete the items above and reasonably associated with those items. The work shall follow the South Dakota Standard Specifications for Roads and Bridges, 2004 Edition of the South Dakota Department of Transportation and any supplemental specifications thereto adopted. The specifications shall be modified or noted as stated below.

Contractor shall visit the site prior to bidding the work. A representative of the Owner will be available to discuss locations for "Borrow Excavation". No contract modifications will be made for additional haul unless the range of the agreed upon borrow area is changed and approved by the Owner or his agents.

ESTIMATE OF QUANTITIES

1 Clearing and Grubbing	1 LS
2 Unclassified Excavation	17,940 CY
3 Borrow Excavation	30,502 CY
4 Water for Embankment	740 Mgal
5 Placing Topsoil	1311 CY
6 12" DWPP	174 LF
7 F&I Class B Riprap	53 Ton
8 F&I Geotextile	83 SY
9 Antiseep Collars	2 Each
10 Pipe Anchors	2 Each
11 Rodent Guard	2 Each
12 Low Flow Silt Fence	200 LF

SECTION 120 - ROADWAY AND DRAINAGE EXCAVATION AND EMBANKMENT CONSTRUCTION

120.2B Rock Excavation:

Rock Excavation consists of excavating hard solid rock in ledges and bedded deposits which is so hard or firmly cemented that it must be blasted before it can be excavated and removed. An excavator mounted with a drop hammer or a heavy duty dozer mounted with ripper teeth must be used to break the material into chunks.

Rock excavation includes all boulders and other detached rock having a volume of (1) one cubic yard or more.

If rock is encountered which must be blasted or ripped as described above, the material shall be paid for at \$8.00 per cubic yard, as measured in the field by the Engineer.

120.3A2 Salvage of Topsoil:

All topsoil shall be removed to a depth of 6" from the construction areas and replaced upon completion of construction.

120.3B3b Ordinary Density Method:

The Contractor shall use the Ordinary Density Method to compact the embankment.

The contractor shall scarify the exposed subgrade surface for the width of the subgrade to a depth of six inches and re-compact to the required density in cut sections. In embankments less than 18 inches, the Contractor shall scarify the subgrade to a depth of six inches below the existing ground.

Embankment material shall be spread in horizontal layers not exceeding 8 inches in thickness (loose measurement) over the full width of the proposed embankment section. Motor graders shall be used on each lift to spread the material and to obtain uniform thickness. The construction equipment shall be routed uniformly over the entire area of each layer. The addition of water or drying of fill material to maintain + or - 3% optimum moisture is required at all times.

After field density tests have confirmed compaction, the upper 2 to 3 inches shall be scarified prior to placement of the subsequent lift.

120.3C3f Water:

Sufficient equipment shall be available to apply the quantity of water required to secure the proper compaction before evaporation, absorption, or drainage prevents or interferes with the specified results. Moisture content of materials shall be uniform for the full depth and extent of each layer.

120.4 Method of Measurement:

A. Excavation: Volume shall be computed in cubic yards by the average end area method. The accepted quantity of excavation shall be measured in its original position by surveying cross-sections before the topsoil is removed. Final cross-sections shall be taken after the topsoil is replaced.

The volume of topsoil that is stockpiled and replaced shall be paid for as Placing Topsoil and shall be measured when in the stockpile. This volume shall be added to the volume computed from the cross-sections. No allowance shall be made for shrinkage when stockpiling.

SECTION 230 - SALVAGING, STOCKPILING AND PLACING TOPSOIL

230.4 Method of Measurement:

The work in this section shall be included in the Excavation except for placement which will be paid for under "Placing Topsoil" bid item.

SECTION 450 - PIPE CULVERTS

450.1 Description:

The work shall consist of furnishing and installing a Dual Wall Polyethylene Pipe.

450.3 Construction Requirements:

Class C bedding shall be used for installation of the culvert.

450.5 Basis of Payment:

Payment shall be made by the lineal foot of installed pipe.

SECTION 700 - RIPRAP

Riprap for the spillway shall be Class B. Geotextile shall be placed under all riprap and shall conform to South Dakota Standard Specifications for Roads and Bridges, Section 831, Type B Drainage Fabric.

SECTION 730 - SEEDING

Seeding shall be completed by the Owner or the Owner's agents. Contractor shall sufficiently prepare the replaced topsoil in a manner conducive to seeding. There shall be no clods or clumps in the prepared seedbed over 3" in diameter.

RATES OF MATERIALS

Water:
Unclassified Excavation 15 Gal / CY
Riprap:
1.6 Tons/CY



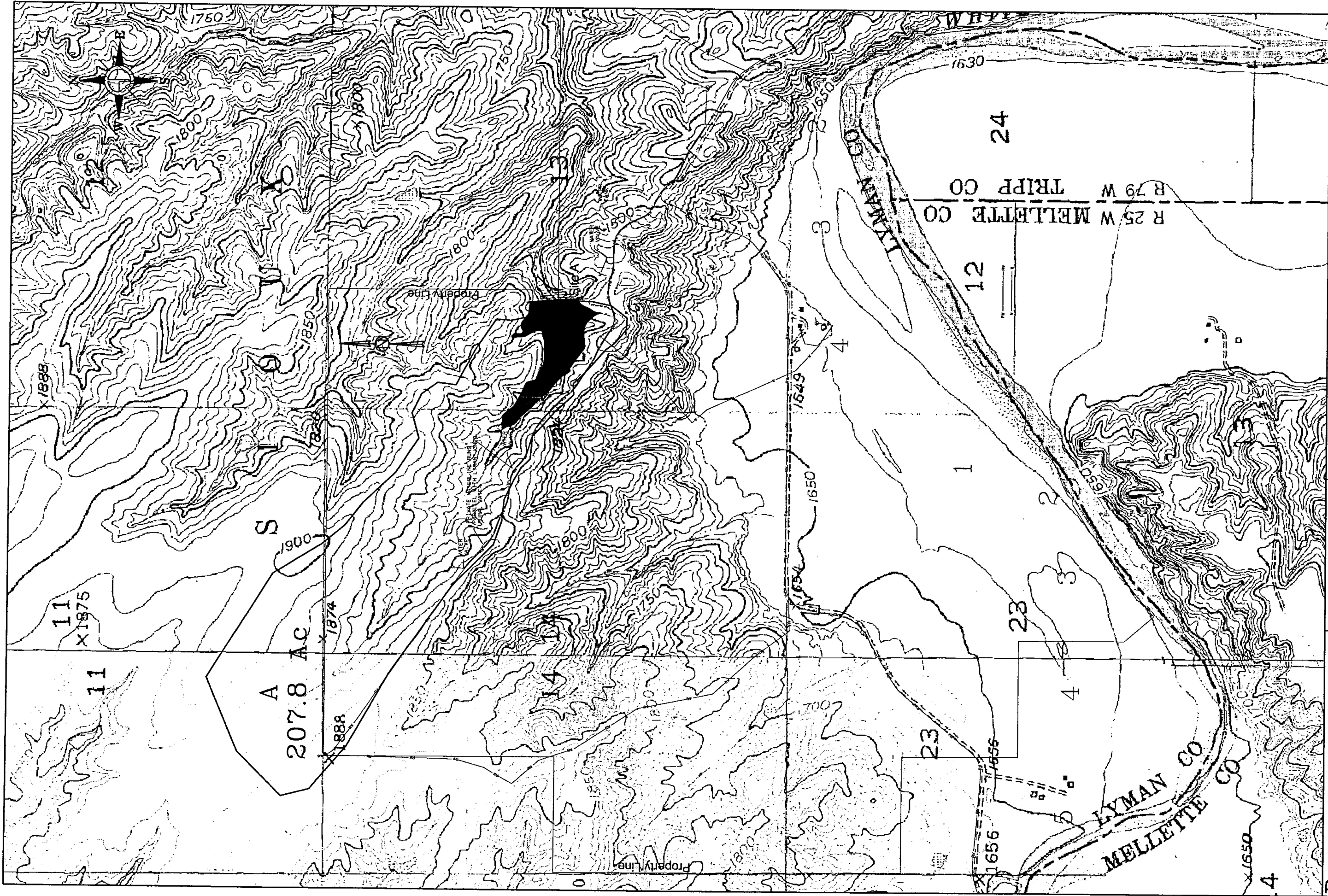
2
OF
20

COMPLETED BY: SJS
DATE PRINTED: 07/18/06
DATE REVISED: / /

PROJECT NAME: R.L. Smith Ranch Dam
DESCRIPTION: Notes

PROJECT NUMBER:

Engineering, Inc. Registered in South Dakota, South Dakota
3030 Alford Rd., Suite A, Box 23 • Pierre, SD 57501
Phone: (605) 224-1123 • Fax: (605) 224-0589



Engineer Inc., Inc. Registered in North Dakota, South Dakota, Wyoming, Montana, and Nebraska 3030 Airport Rd., Suite A, Box 23 • Pierre, SD 57501 Phone: (605) 224-1123 • Fax: (605) 224-0659	PROJECT NUMBER:	PROJECT NAME: R.L. Smith Ranch Dam DESCRIPTION: Location Map	COMPLETED BY: SJS DATE PRINTED: 07/18/06 DATE REVISED: / /
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Runoff Area	0.323 Mi ²	9,004,723
Surface Area	0.022 Mi ²	613,325
Annual Evaporation	38 In.	
Annual Mean Precipitation	18 In.	
Runoff Percent	17%	
Direct Precipitation	919987 ft ³	6,881,982 gallons
Runoff	2139807 ft ³	16,006,864 gallons
Total Precipitation Gain	3059794 ft ³	22,888,846 gallons
Total Evaporation	1942195.2 ft ³	14,528,628 gallons
Total water gain	1117599 ft ³	8,360,218 gallons

1998 Regional Regression Equations for South Dakota (Subregion D)

Contributing drainage area (mi2)	CA=	0.323	
	Q(yrs)		Flow
78.5*CA^0.357	2		52 cfs
676*CA^0.585	25		349 cfs
944*CA^0.627	50		465 cfs
1270*CA^0.663	100		600 cfs

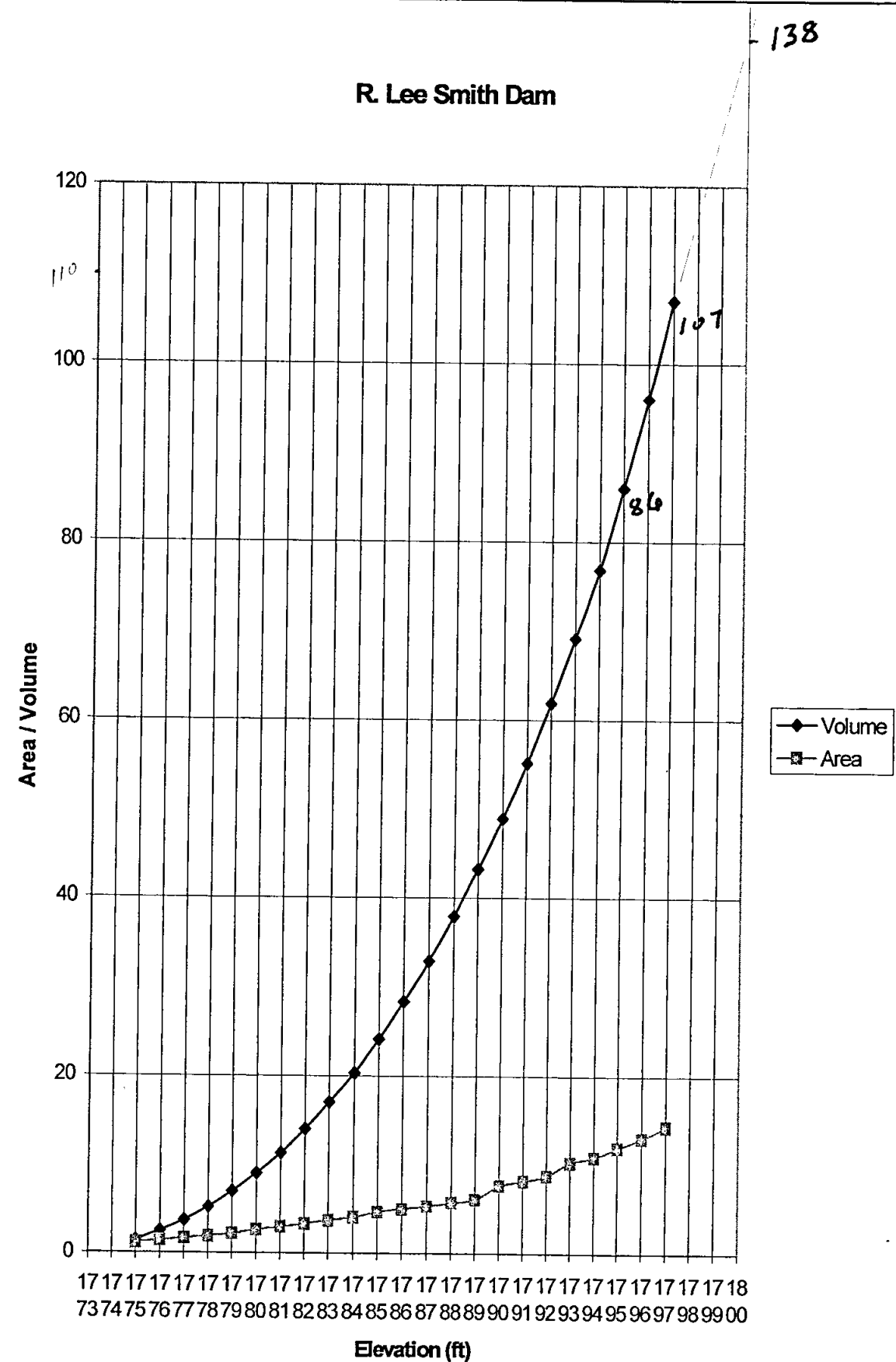
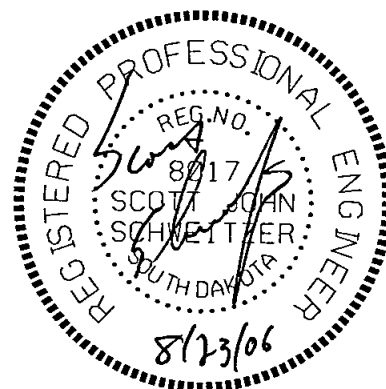
ESTIMATE OF PEAK DISCHARGES FOR AREAS < 100 SQ. MILES

A = 0.323 Contributing Drainage Area (sq. miles)
S = 48.0 Main Channel Slope (ft./mile)
Si = 1.90 Soil Infiltration Index (inches)

		0.48	0.44	-1.16	
Q2 =	21.2	A *	S *	Si	= 32 cfs
		0.56	0.43	-0.80	
Q25 =	83.4	A *	S *	Si	= 140 cfs
		0.63	0.45	-0.69	
Q50 =	106.0	A *	S *	Si	= 191 cfs
		0.65	0.46	-0.67	
Q100 =	132.0	A *	S *	Si	= 244 cfs

Rational Method

C=0.2 0.1 - 0.3 from chart
 I=5.2 100 Yr 24 Hr event
 Ad =207
 Q = C*I*Ad = 215 ac-in/hr
 1.00833 conversion factor **217 cfs**



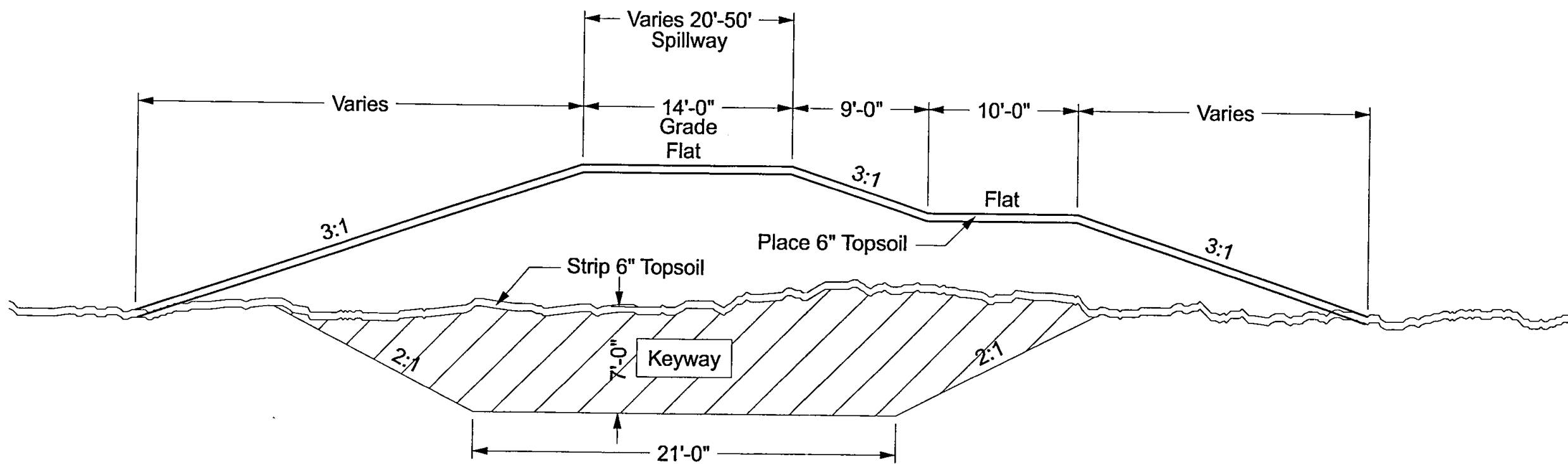
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COMPLETED BY: SJS
DATE PRINTED: 07/18/06
DATE REVISED: / /

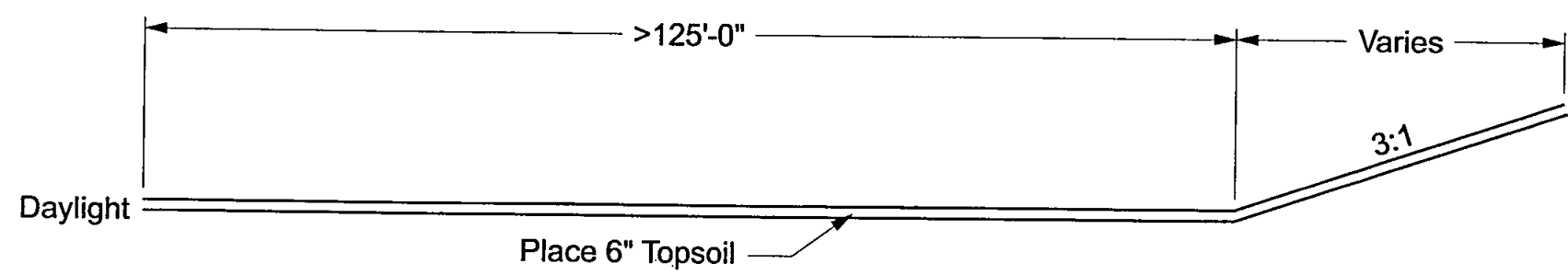
PROJECT NAME: R.L. Smith Ranch Dam
DESCRIPTION: Dam Information

PROJECT NUMBER:

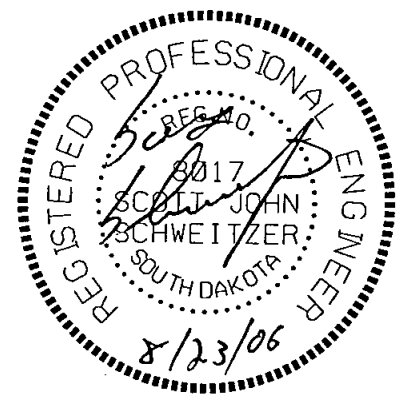
Engineering, Inc.
 3030 Airport Rd., Suite A, Box 23 • Pierre, SD 57501
 Phone: (605) 224-1123 • Fax: (605) 224-0659



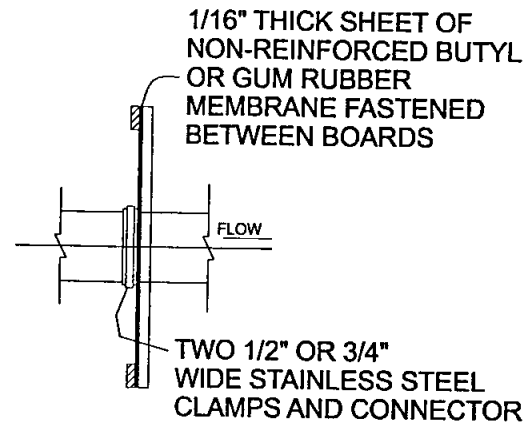
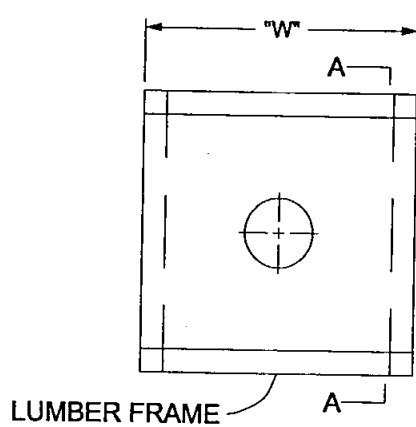
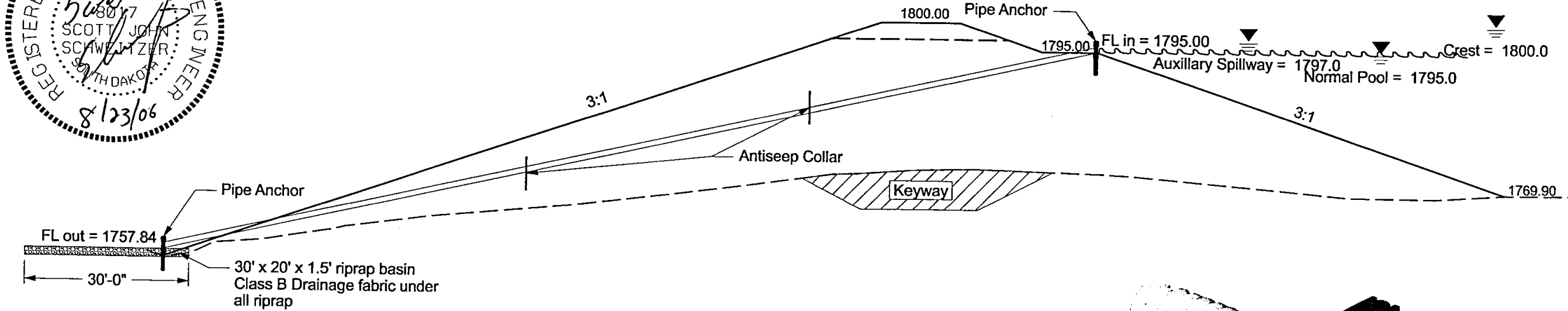
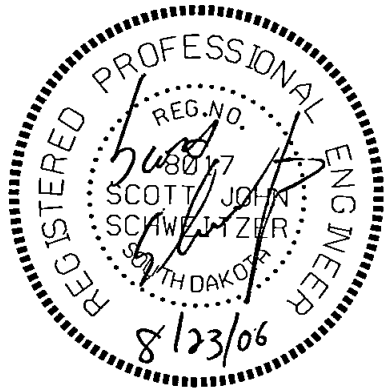
Dam Typical Section



Auxillary Spillway Typical Section



5 OF 20	COMPLETED BY: SJS DATE PRINTED: 07/18/06 DATE REVISED: / /	PROJECT NAME: R.L. Smith Ranch Dam DESCRIPTION: Typical Sections	PROJECT NUMBER:	REGISTERED PROFESSIONAL ENGINEER SCOTT JOHN SCHWEITZER SOUTH DAKOTA 8/23/06 8017 REGISTERED IN NORTH DAKOTA, SOUTH DAKOTA, WYOMING, MONTANA, AND NEBRASKA 3030 Airport Rd., Suite A, Box 23 • Pierre, SD 57501 Phone: (605) 224-1123 • Fax: (605) 224-0659
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ELEVATION

SECTION A-A

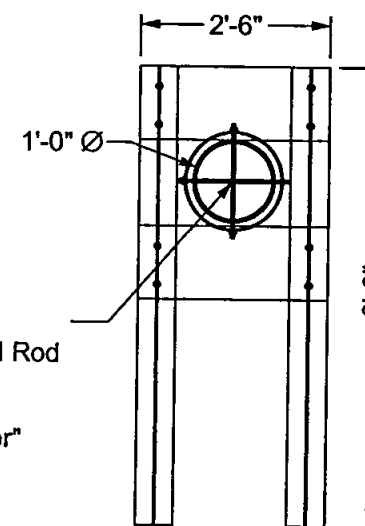
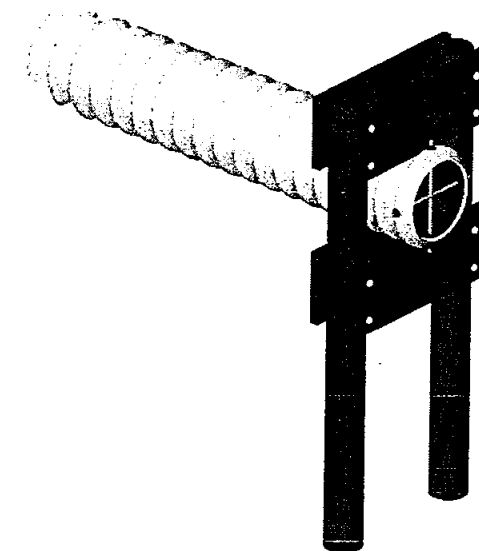
TABLE OF QUANTITIES

"W" FEET	RUBBER SQ. FT.	STAINLESS STEEL CLAMPS	LUMBER LIN. FT.
6	36	2	24

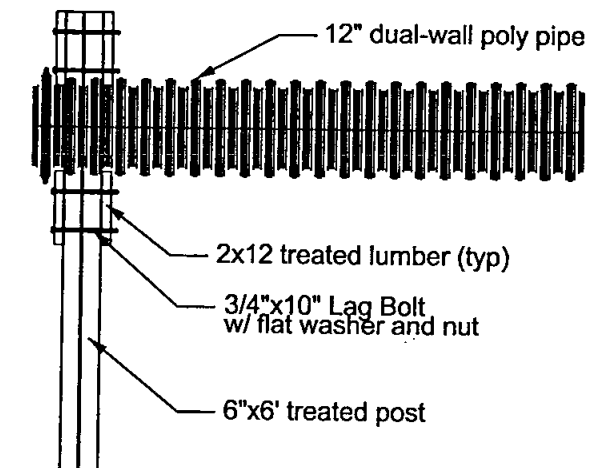
NOTES:

1. CUT A HOLE (CENTERED) IN THE RUBBER MEMBRANE APPROXIMATELY 1/2 THE DIAMETER OF THE PIPE.
2. FORCE THE RUBBER MEMBRANE OVER THE UPSTREAM END OF THE PIPE.
3. INSTALL THE STAINLESS STEEL CLAMPS AROUND THE PIPE, OVER THE RUBBER MEMBRANE, AND TIGHTEN. THE COMPLETED INSTALLATION MUST BE WATERTIGHT.
4. STAPLE THE RUBBER MEMBRANE TO THE LUMBER FRAME.
5. THE WOOD FRAME SHALL BE CONSTRUCTED FROM EITHER 2" x 4" OR 4" x 4" LUMBER AND SHALL BE RIGID ENOUGH TO WITHSTAND BACKFILL OPERATIONS.
6. PLACE ANTISEEP COLLAR AS NEAR TO THE 1/3 POINTS ON THE PIPE AS IS PRACTICAL, BUT PLACE ON JOINTS.

Antiseep Collar



Rodent Guard:
2 - 3/8" x 16" Threaded Rod
2 - 3/8" Flat Washers
2 - 3/8" Lock Nuts
Incidental to "Pipe Anchor"



Pipe Anchor

6
OF
20
COMPLETED BY: SJS
DATE PRINTED: 07/18/06
DATE REVISED: / /

PROJECT NAME: R.L. Smith Ranch Dam
DESCRIPTION: General Dam Drawing

PROJECT NUMBER:

Registered in North Dakota, South Dakota,
Wyoming, Montana, and Nebraska
3030 Airport Rd., Suite A, Box 23 • Pierre, SD 57501
Phone: (605) 224-1123 • Fax: (605) 224-0659

Sta. 2+80 26' Rt to
2+80 138' Lt,
Install 174 LF 12" DWPP
& 2 Pipe Anchors

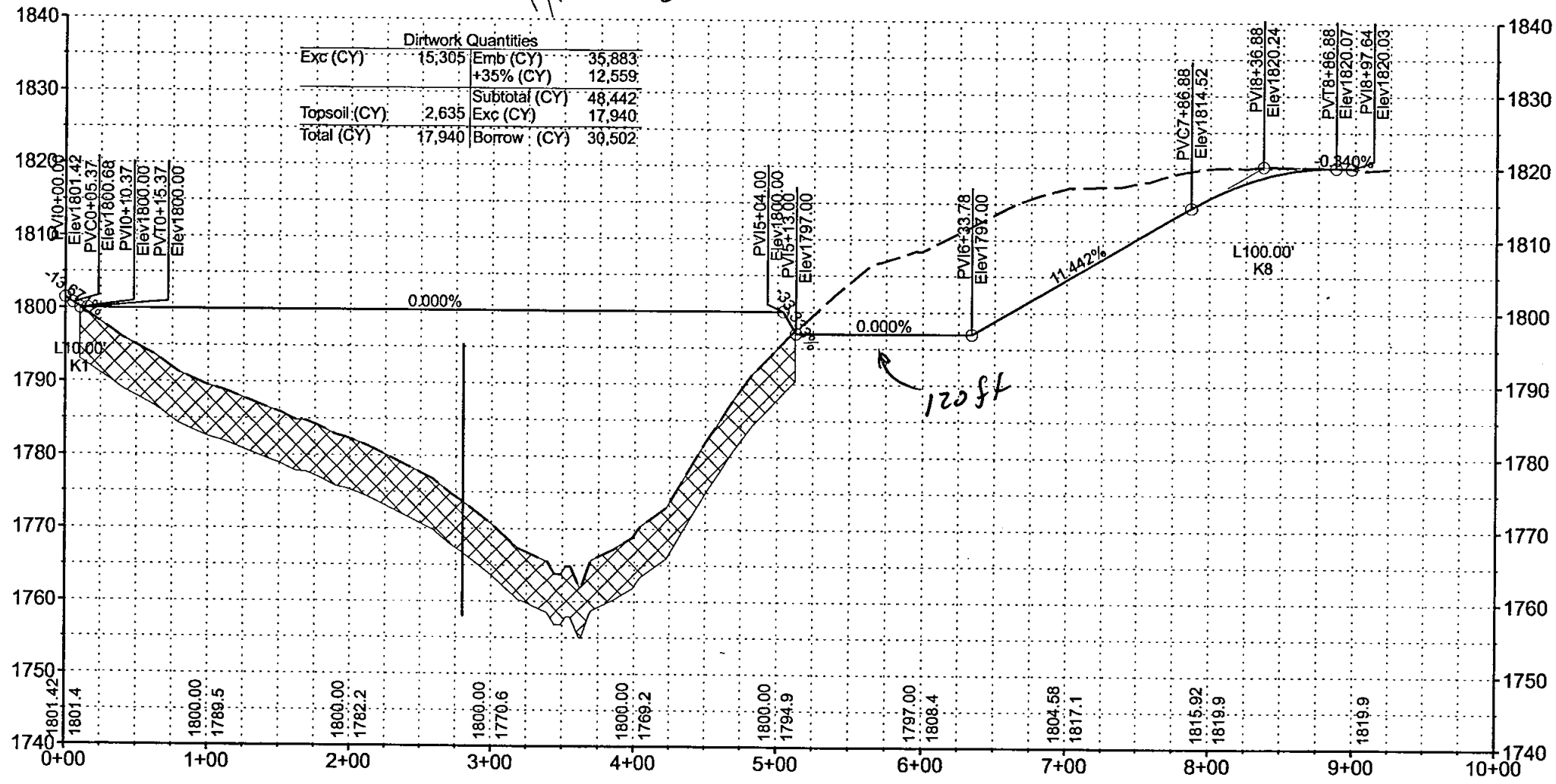
F&I 200 LF
Low Flow Silt Fence

Scale:
1" = 100.00

Dam Grade			
STATION	NORTHING	EASTING	
POB 0+00.00	507363.36	1994288.11	
PI 2+80.00	507090.49	1994350.88	
Tangent Direction: S 12°57'16" E			
Tangent Length: 280.00			
PI 2+80.00	507090.49	1994350.88	
PC 7+44.37	506637.93	1994454.98	
Tangent Direction: S 12°57'16" E			
Tangent Length: 464.37			
PC 7+44.37	506637.93	1994454.98	
PI 7+76.99	506606.15	1994462.29	
PT 8+07.43	506584.79	1994486.94	
Radius: 100.00			
Delta: 36°07'47" Left			
DC: 57°17'45"			
Length: 63.06			
Tangent: 32.62			
PT 8+07.43	506584.79	1994486.94	
POE 9+26.34	506506.91	1994576.80	
Tangent Direction: S 49°05'03" E			
Tangent Length: 118.91			

Spillway			
STATION	NORTHING	EASTING	
POB S 0+00.00	506929.02	1994218.51	
PC S 0+79.05	506866.11	1994266.38	
Tangent Direction: S 37°15'59" E			
Tangent Length: 79.05			
PC S 0+79.05	506866.11	1994266.38	
PI S 2+26.57	506748.71	1994355.70	
PT S 3+33.26	506799.38	1994494.24	
Radius: 200.00			
Delta: 72°49'23" Left			
DC: 28°38'52"			
Length: 254.20			
Tangent: 147.52			
PT S 3+33.26	506799.38	1994494.24	
POE S 3+66.05	506810.64	1994525.04	
Tangent Direction: N 69°54'38" E			
Tangent Length: 32.79			

Dirtwork Quantities			
Exc (CY)	15,305	Emb (CY)	35,883
		+35% (CY)	12,559
		Subtotal (CY)	48,442
Topsoil (CY)	2,635	Exc (CY)	17,940
Total (CY)	17,940	Borrow (CY)	30,502



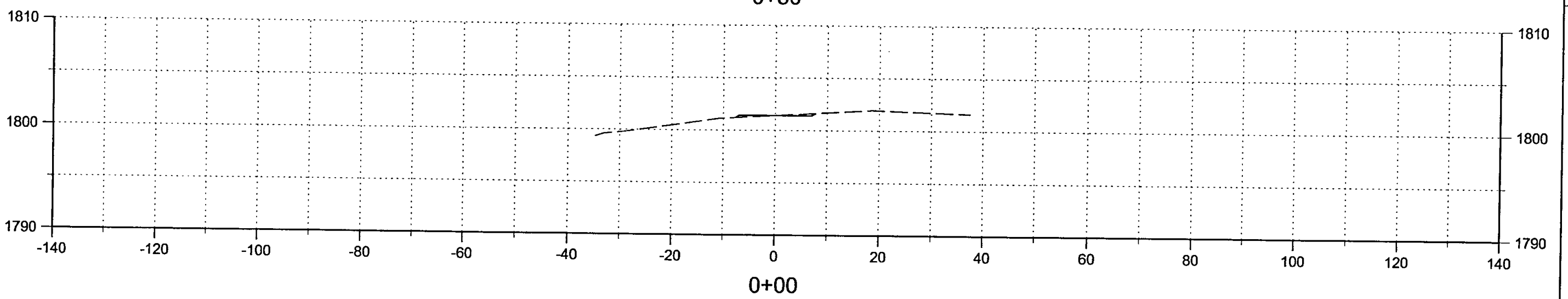
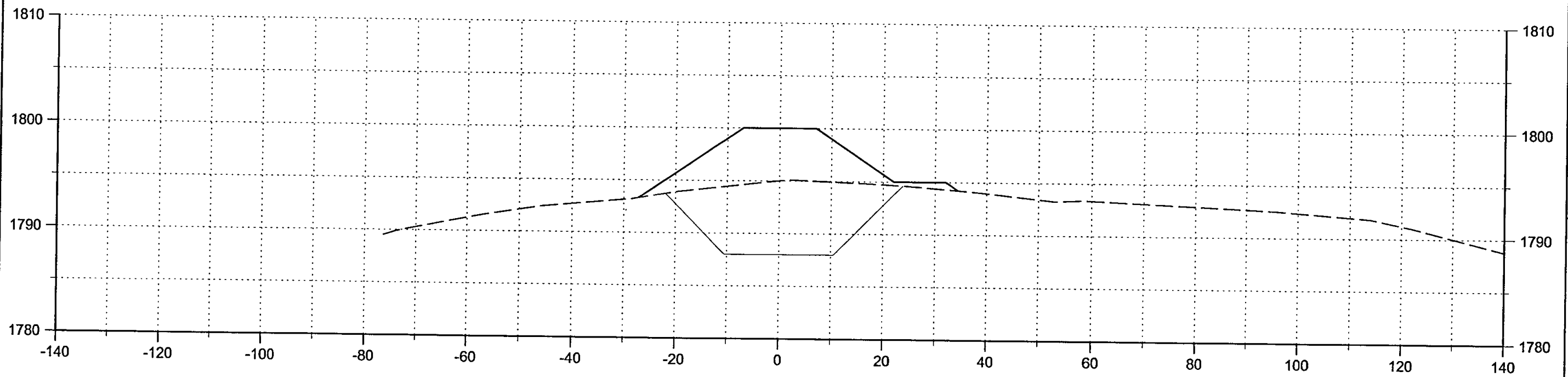


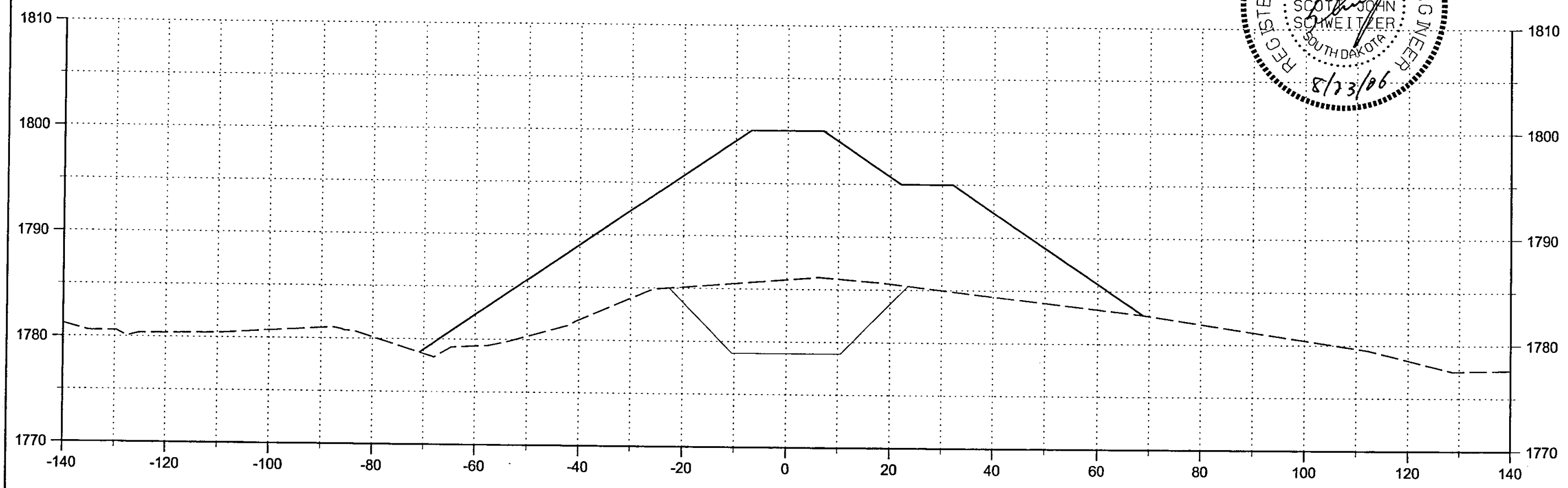
8
OF
20
COMPLETED BY: SJS
DATE PRINTED: 07/18/06
DATE REVISED: / /

PROJECT NAME: R.L. Smith Ranch Dam
DESCRIPTION: Cross Sections

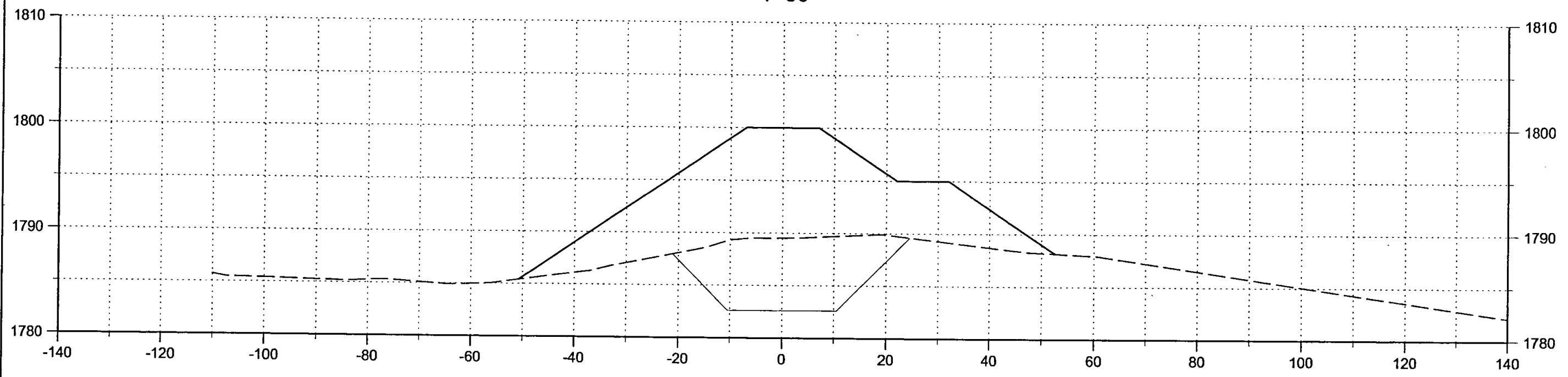
PROJECT NUMBER:

Engineering, Inc. Registered in North Dakota, South Dakota,
Wyoming, Montana, and Nebraska
3030 Airport Rd., Suite A, Box 23 • Plains, SD 57501
Phone: (605) 224-1123 • Fax: (605) 224-0669

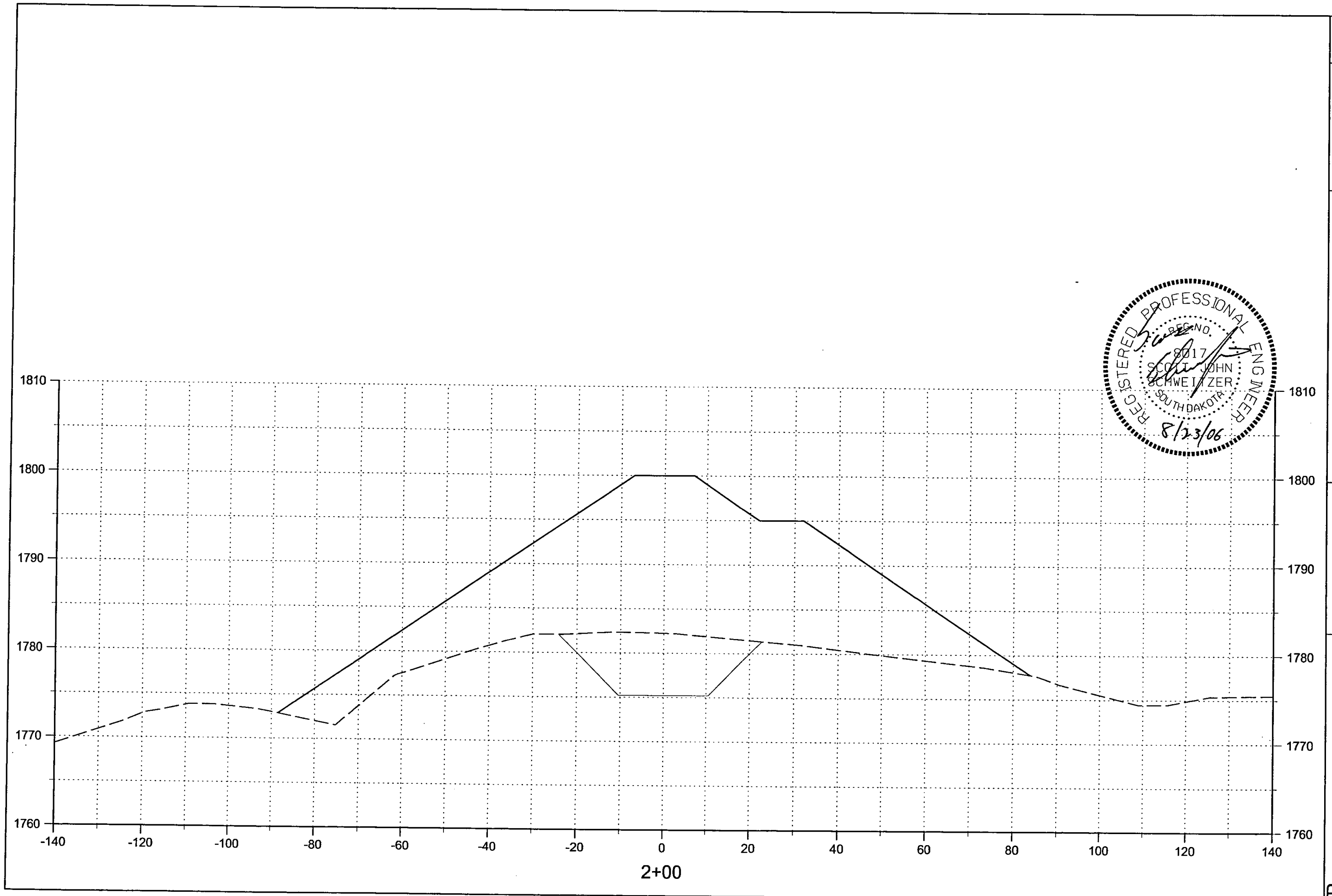




1+50



1+00



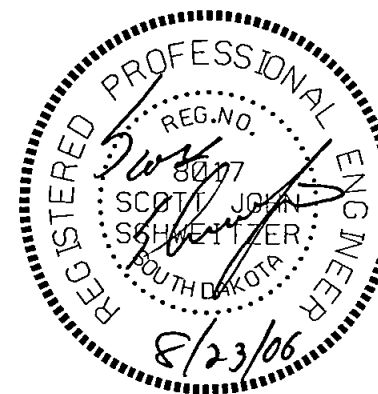
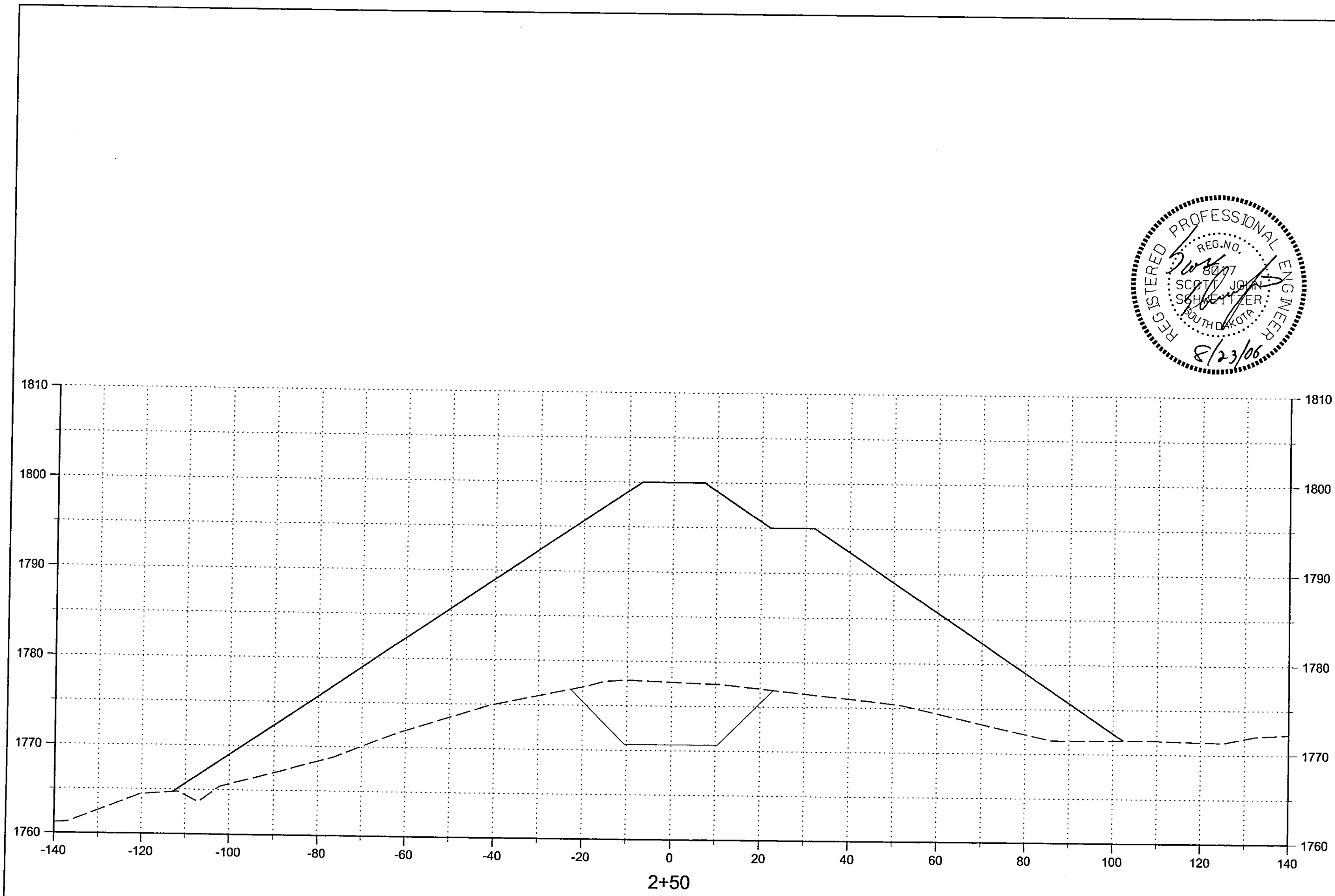
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COMPLETED BY: SJS
DATE PRINTED: 07/18/06
DATE REVISED: / /

PROJECT NAME: R.L. Smith Ranch Dam
DESCRIPTION: Cross Sections

PROJECT NUMBER:

Engineering, Inc. Registered in North Dakota, South Dakota,
Wyoming, Montana, and Nebraska
3030 Airport Rd., Suite A, Box 23 • Pierre, SD 57501
Phone: (605) 224-1123 • Fax: (605) 224-0659

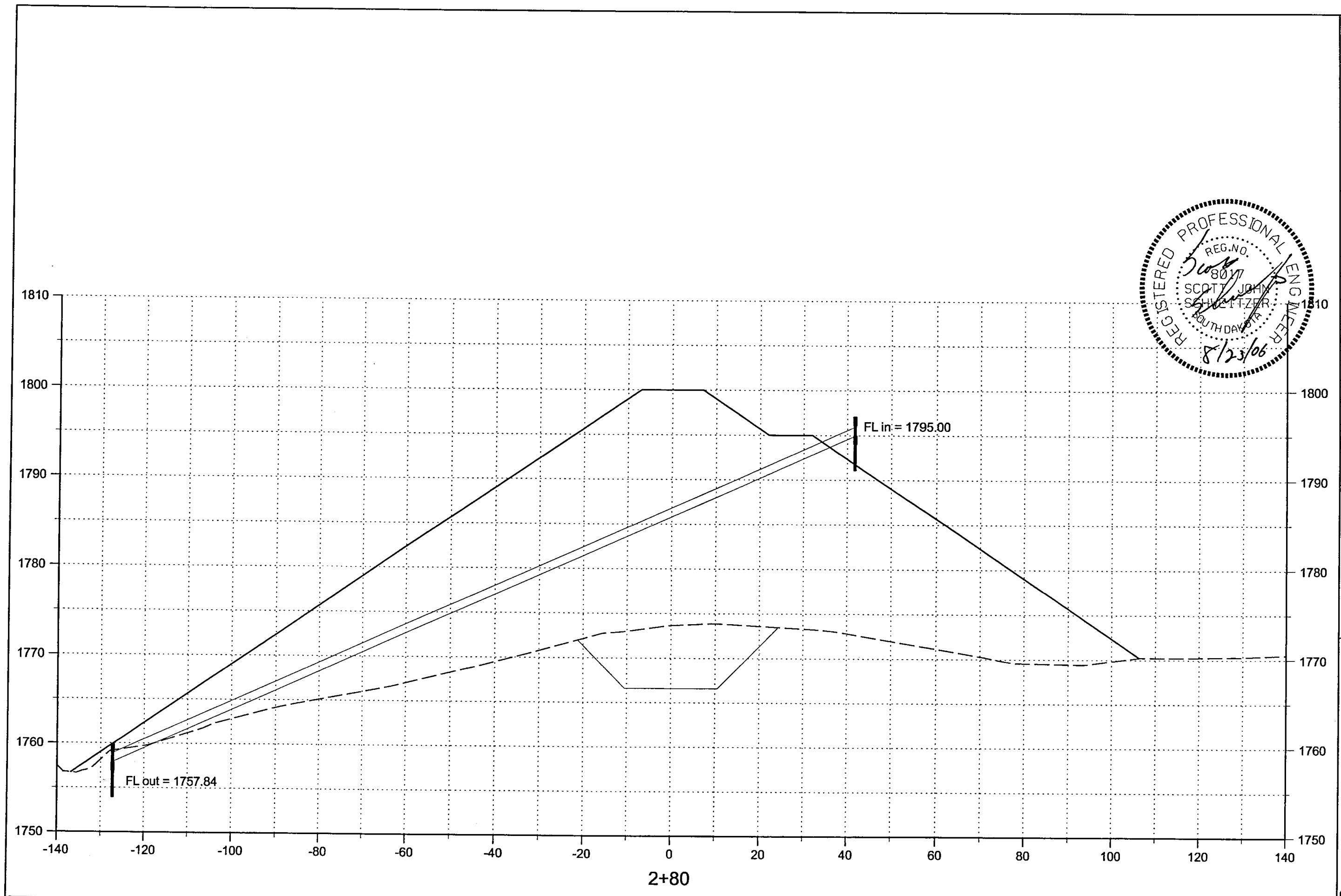


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DATE PRINTED: 07/18/06
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Wyoming, Montana, and Nebraska
3030 Airport Rd., Suite A, Box 23 • Pierre, SD 57501
Phone: (605) 224-1123 • Fax: (605) 224-0659



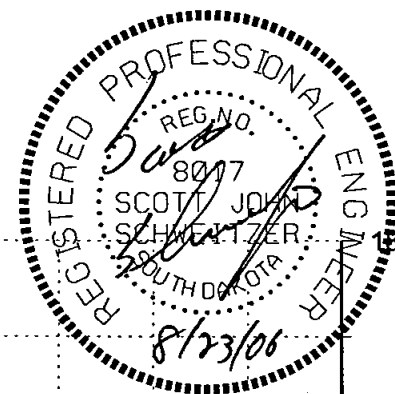
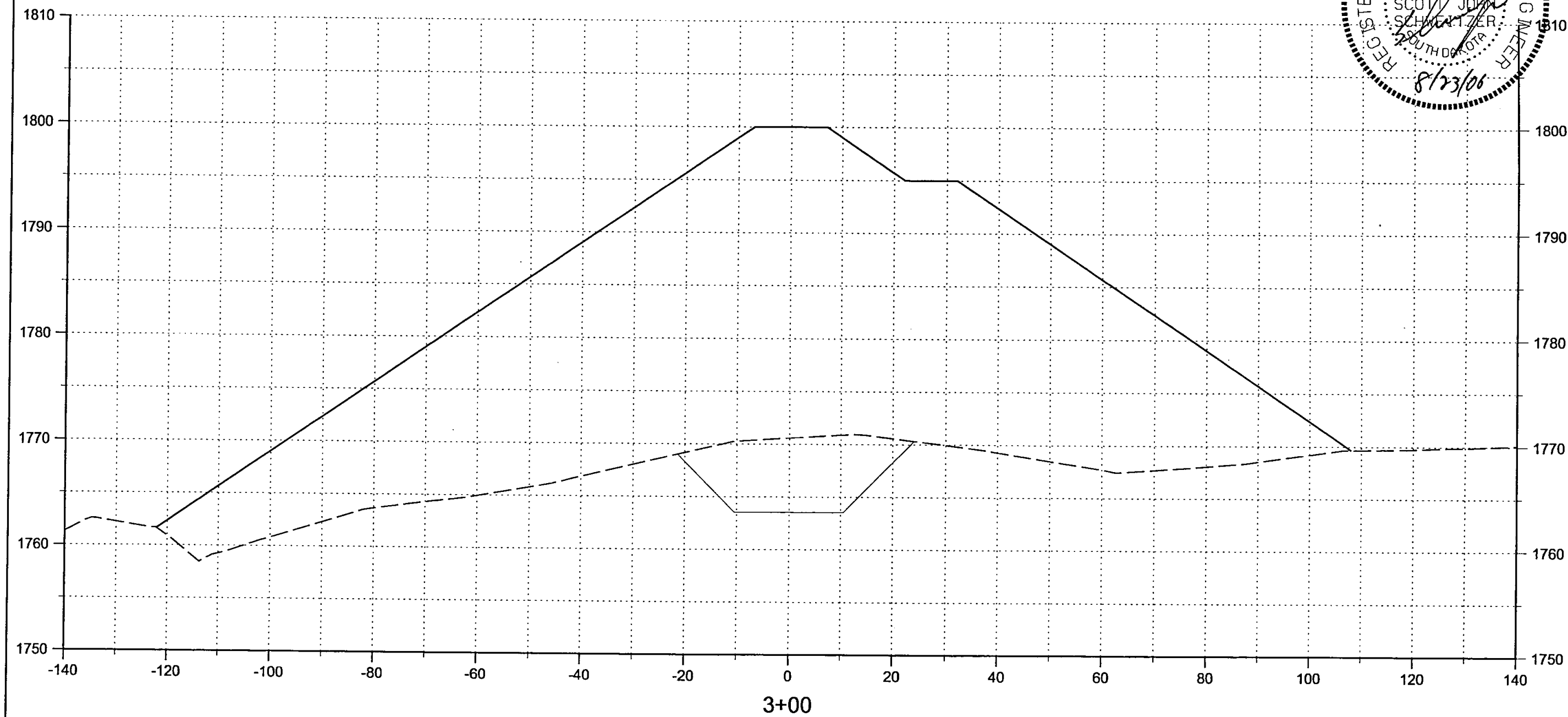
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COMPLETED BY: SJS
DATE PRINTED: 07/18/06
DATE REVISED: / /

PROJECT NAME: R.L. Smith Ranch Dam
DESCRIPTION: Cross Sections

PROJECT NUMBER:

Engineering, Inc. Registered Professional Engineer, South Dakota
3030 Airport Rd., Suite A, Box 23 • Pierre, SD 57501
Phone: (605) 224-1123 • Fax: (605) 224-0659

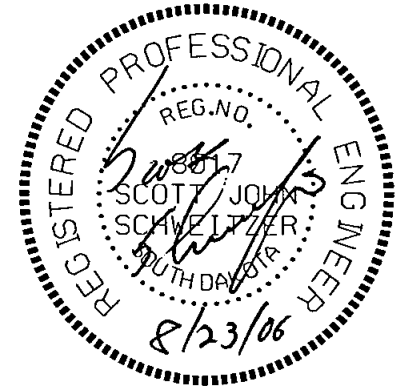


13
OF
20
COMPLETED BY: SJS
DATE PRINTED: 07/18/06
DATE REVISED: / /

PROJECT NAME: R.L. Smith Ranch Dam
DESCRIPTION: Cross Sections

PROJECT NUMBER:

Pros Engineering, Inc. Registered Professional Engineer, South Dakota
300 Airport Rd., Suite A, Box 23 • Pierre, SD 57501
Phone: (605) 224-1123 • Fax: (605) 224-0559

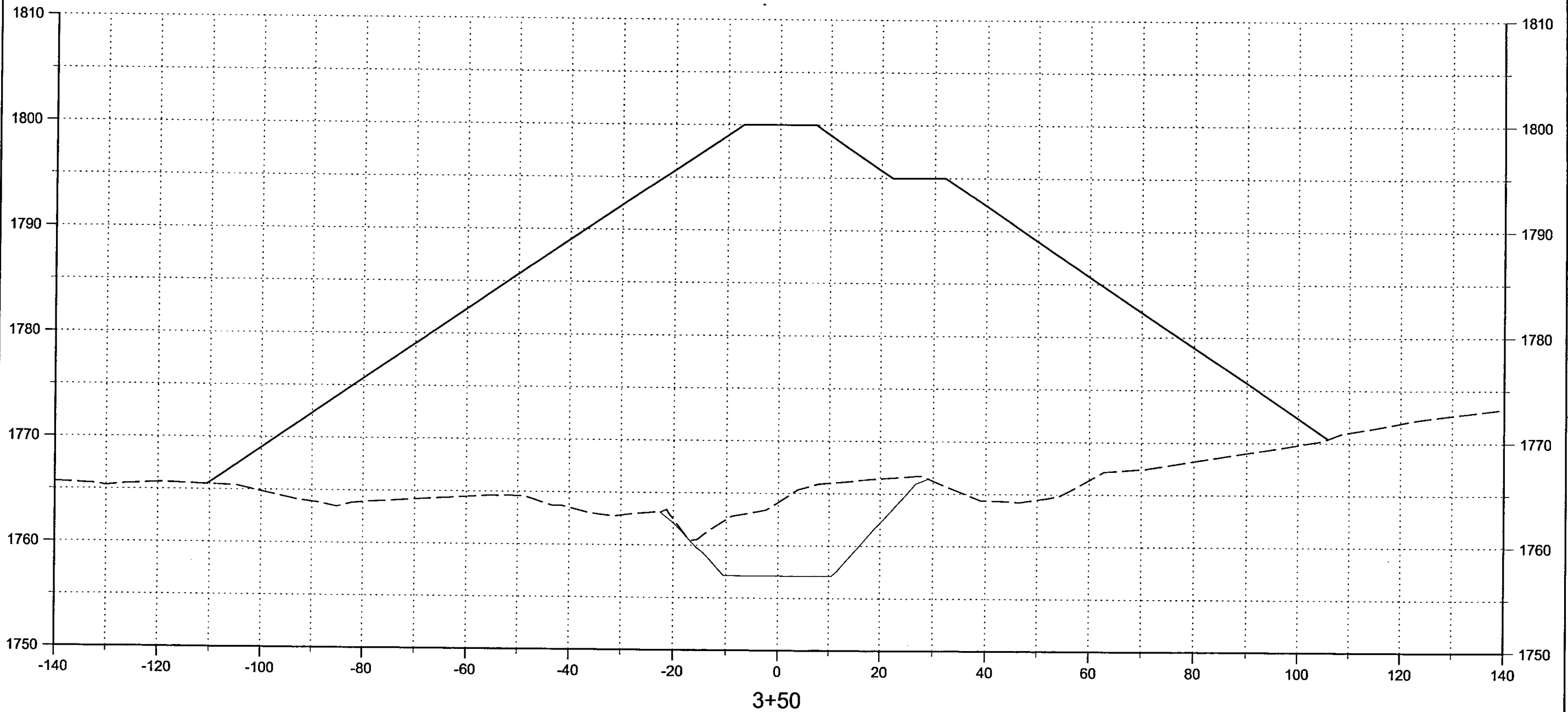


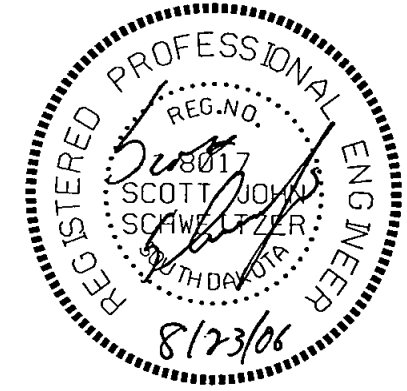
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DATE PRINTED: 07/18/06
DATE REVISED: / /

PROJECT NAME: R.L. Smith Ranch Dam
DESCRIPTION: Cross Sections

PROJECT NUMBER:

Pros Engineering, Inc. Registered in North Dakota, South Dakota,
Wyoming, Montana, and Nebraska
3030 Airport Rd., Suite A, Box 23 • Pierre, SD 57501
Phone: (605) 224-1123 • Fax: (605) 224-0668



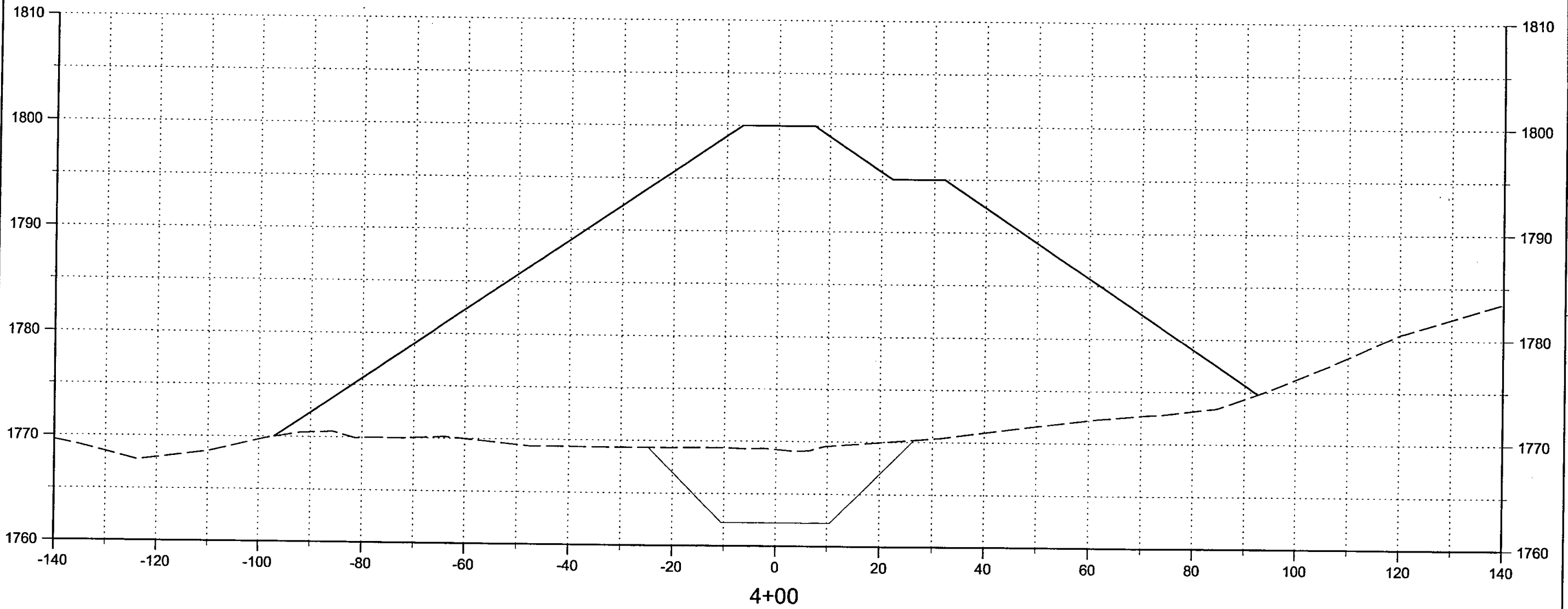


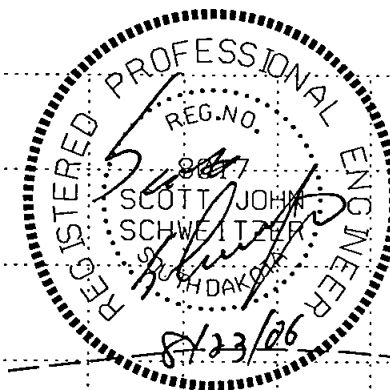
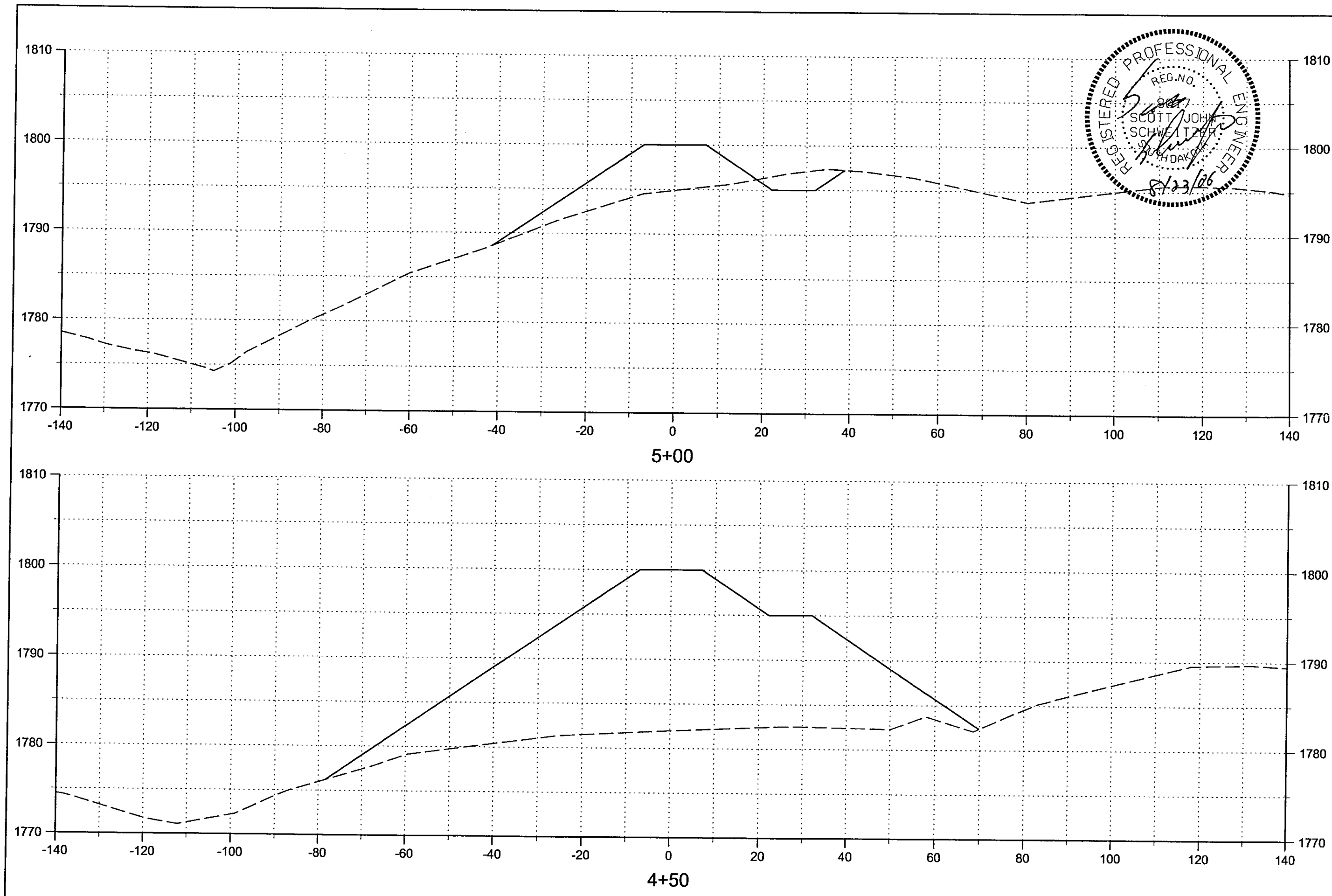
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DATE PRINTED: 07/18/06
DATE REVISED: / /

PROJECT NAME: R.L. Smith Ranch Dam
DESCRIPTION: Cross Sections

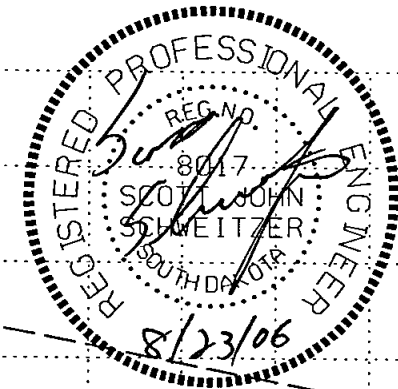
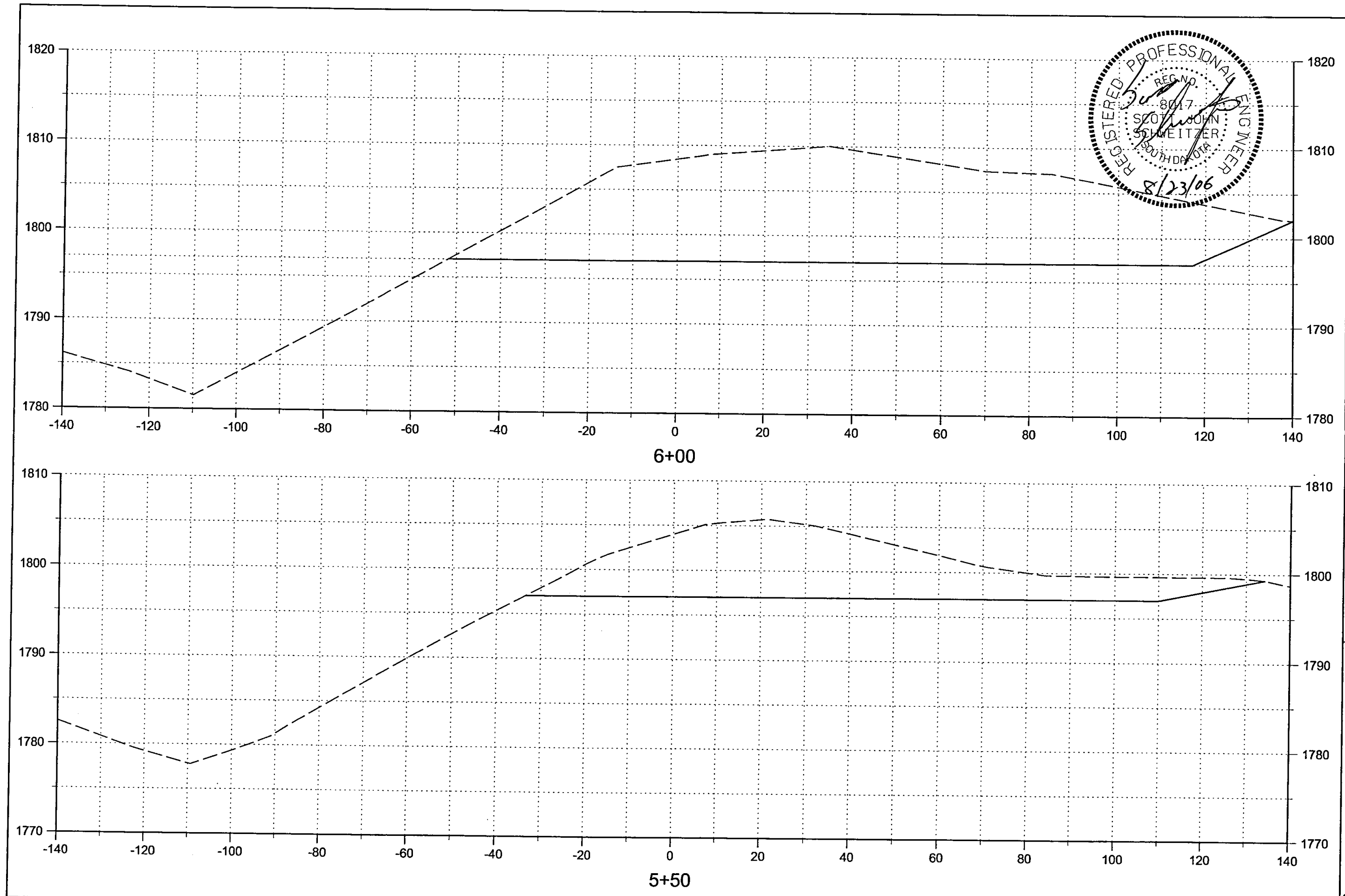
PROJECT NUMBER:

Engineering, Inc. Registered in North Dakota, South Dakota,
Wyoming, Montana, and Nebraska
3030 Airport Rd., Suite A, Box 23 • Pierre, SD 57501
Phone: (605) 224-1123 • Fax: (605) 224-0659

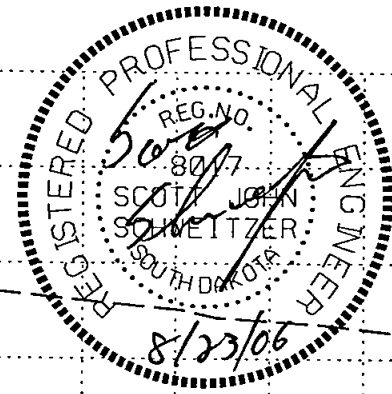
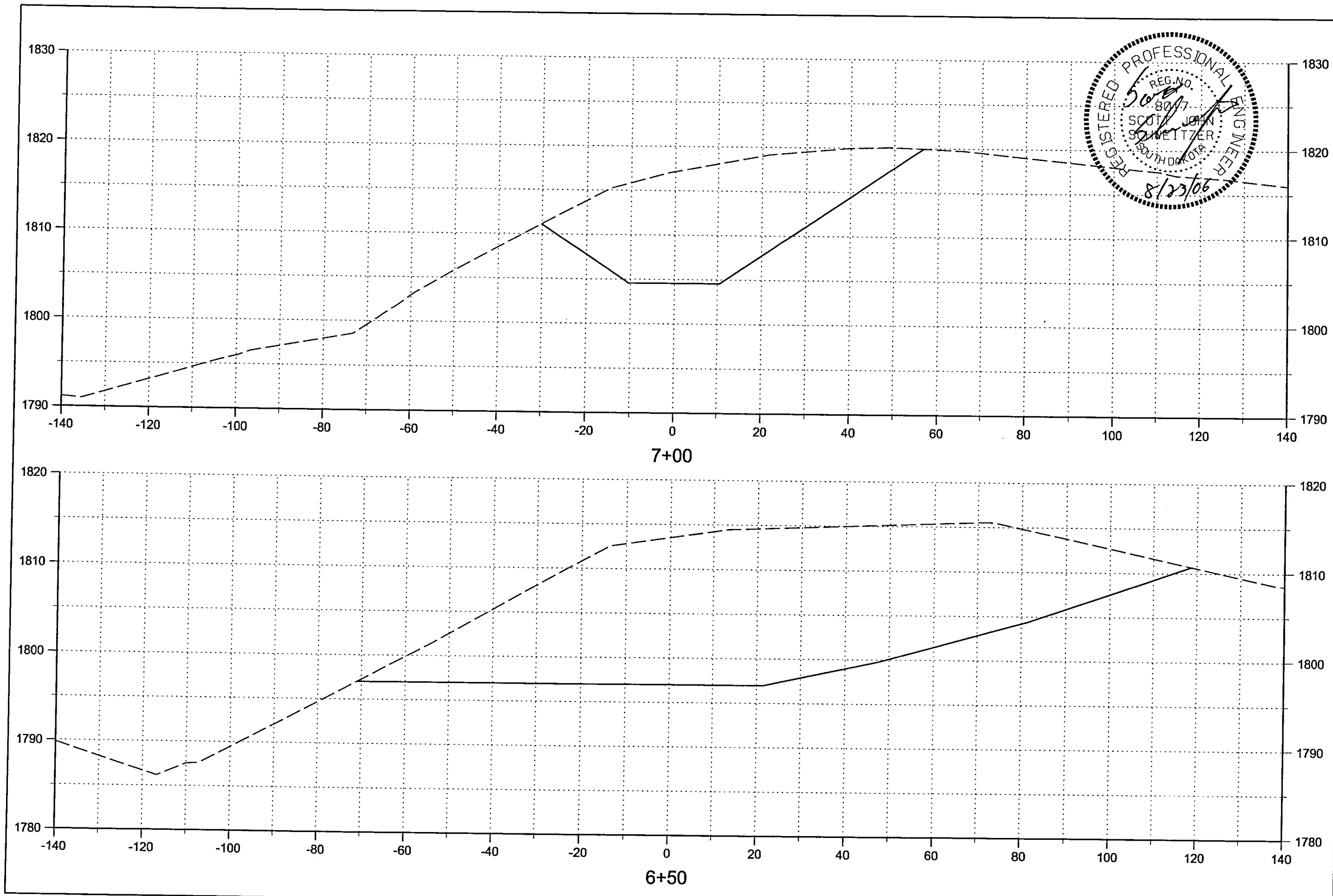




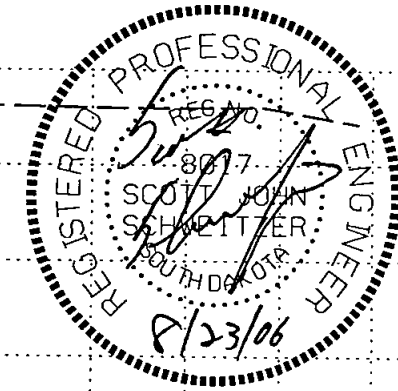
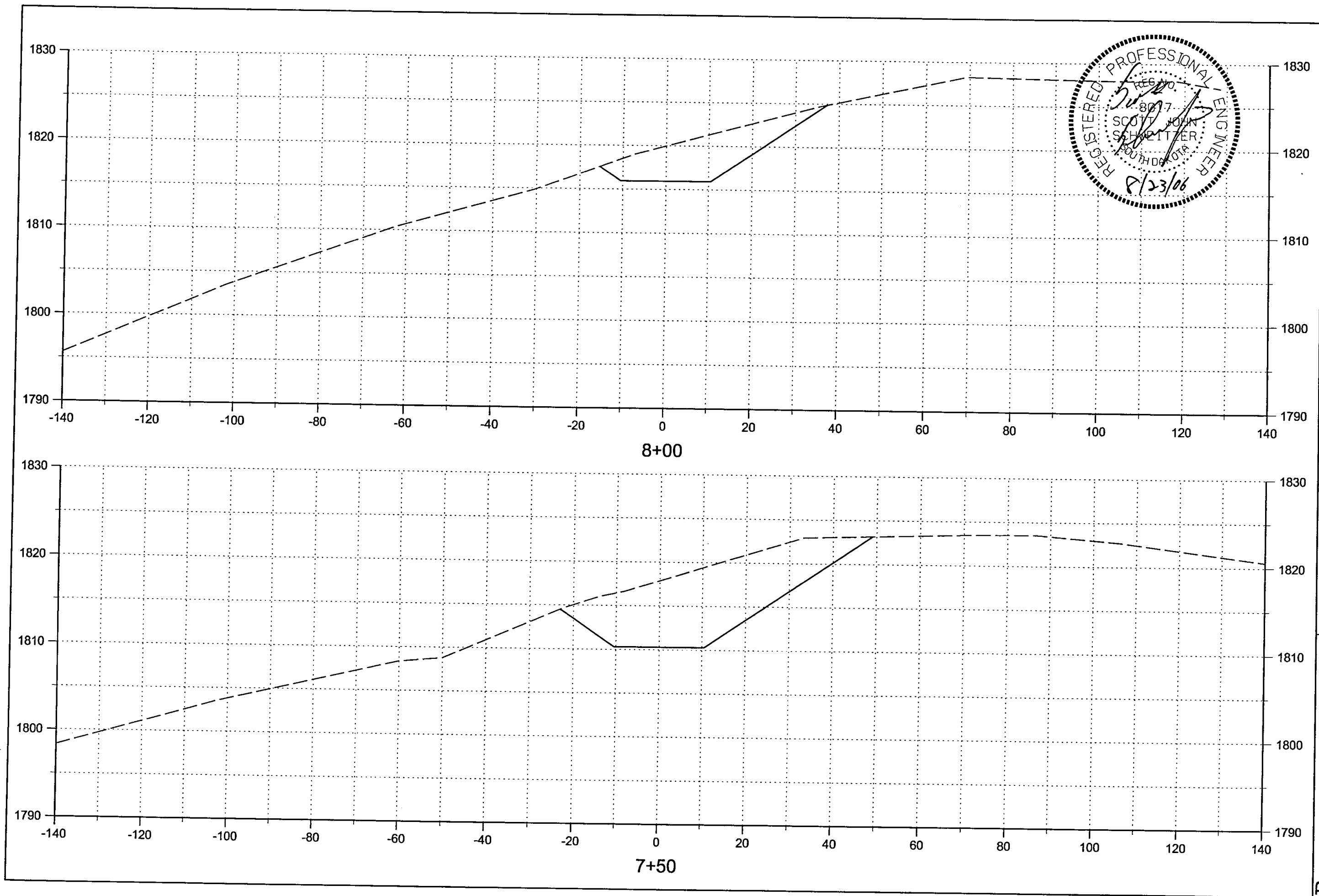
COMPLETED BY: SJS DATE PRINTED: 07/18/06 DATE REVISED: / /	PROJECT NAME: R.L. Smith Ranch Dam DESCRIPTION: Cross Sections	PROJECT NUMBER: Engineering, Inc. Registered in North Dakota, South Dakota, Wyoming, Montana, and Nebraska 3030 Airport Rd., Suite A, Box 23 • Pierre, SD 57501 Phone: (605) 224-1123 • Fax: (605) 224-0659
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17 OF 20	COMPLETED BY: SJS	PROJECT NAME: R.L. Smith Ranch Dam	PROJECT NUMBER:	PROS Engineering, Inc. Registered in North Dakota, South Dakota, Wyoming, Nebraska, and Missouri. 3000 Airport Rd., Suite A, Box 23 • Pierre, SD 57501 Phone: (605) 224-1123 • Fax: (605) 224-0889
DATE PRINTED: 07/18/06	DATE REVISED: / /	DESCRIPTION: Cross Sections		



18 OF 20	COMPLETED BY: SJS DATE PRINTED: 07/18/06 DATE REVISED: / /	PROJECT NAME: R.L. Smith Ranch Dam DESCRIPTION: Cross Sections	PROJECT NUMBER:	Prosz Engineering, Inc. Registered in North Dakota, South Dakota, Wyoming, Montana, and Nebraska 3030 Alameda Rd., Suite A, Box 23 • Plains, SD 57501 Phone: (605) 224-1123 Fax: (605) 224-6639
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19
OF
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COMPLETED BY: SJS
DATE PRINTED: 07/18/06
DATE REVISED: / /

PROJECT NAME: R.L. Smith Ranch Dam
DESCRIPTION: Cross Sections

PROJECT NUMBER:

Engineering, Inc. Registered in South Dakota, South Dakota
3030 Alford Rd., Suite A Box 23 Pierre, SD 57501
Phone: (605) 224-1133 Fax: (605) 224-0839



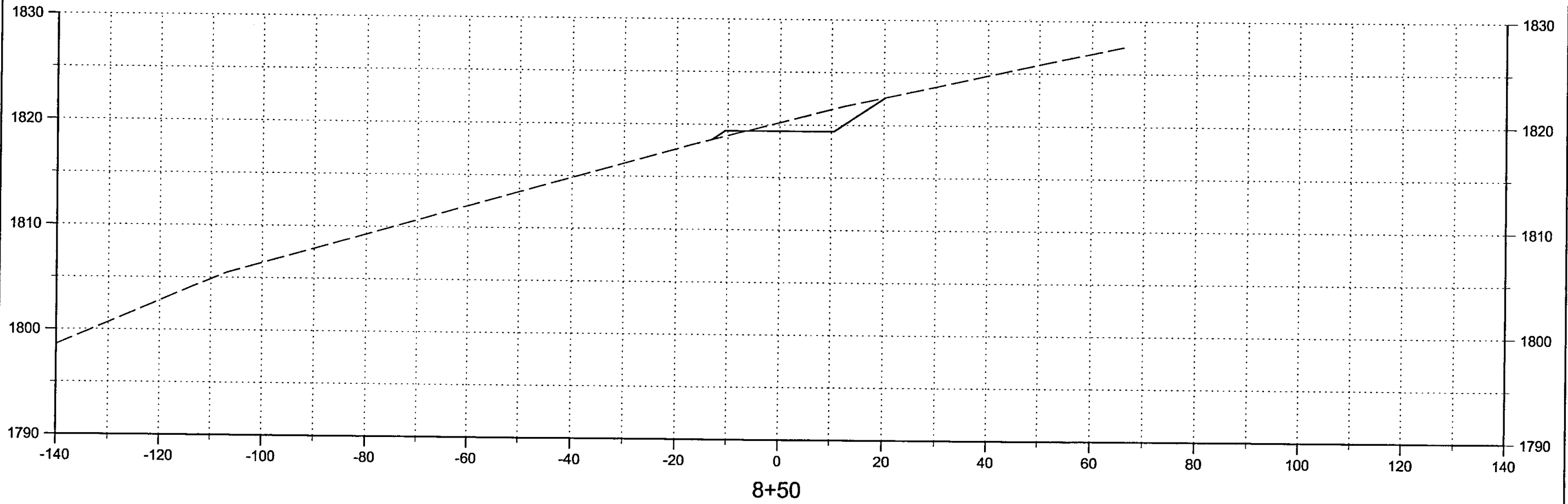
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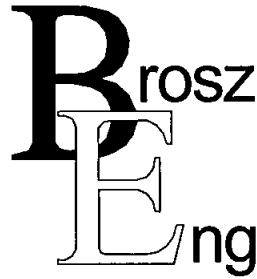
COMPLETED BY: SJS
DATE PRINTED: 07/18/06
DATE REVISED: / /

PROJECT NAME: R.L. Smith Ranch Dam
DESCRIPTION: Cross Sections

PROJECT NUMBER:

Engineering, Inc. Registered in North Dakota, South Dakota,
Wyoming, Montana, and Nebraska
3030 Airport Rd., Suite A, Box 23 • Pierre, SD 57501
Phone: (605) 224-1123 • Fax: (605) 224-0659





PO Box 23
Pierre, SD 57501
Phone: (605)224-1123
Fax: (605)224-0659

Registered in North Dakota, South Dakota, and Montana

July 20, 2006

Eric Gronlund
SDDENR
523 E Capitol
Pierre, SD 57501

RE: R.L. SMITH DAM IN LYMAN COUNTY ADJACENT TO THE WHITE RIVER

Dear Mr. Gronlund;

Attached are two copies of plans and specifications for a proposed dam in Lyman County for your review and comment. Also attached are two copies of the Application for Permit to Appropriate Water Within the State of SD and a check for \$200.

If you need any additional information, please let us know.

Sincerely,

A handwritten signature in cursive script that reads 'Laurie Schultz'.

Laurie Schultz, PE
Brosz Engineering, Inc.

Water Permit Application No 2594-2
R. Lee Smith

Top of Dam Elev. - 1800
2nd Spway Elev. - 1797
P. Spway Elev. - 1795
D/S Emb Toe Elev. - 1757

Cont. 3 - Low Hazard Dam

HH = 43 ft

Normal Storage Capacity - 86 Ac-Ft
Int. Storage Capacity - 107 Ac-Ft
Max Storage Capacity - 138 Ac-Ft

43 ft high $\therefore$ Intermediate Size Low Hazard Dam - 100 yr
Minimum Spillway Design

From USGS WRI Report 98-4055 "Tech. for Est. Peak Flows ... in SD"
Region D DA = 207 Ac = 0.323 mi²

$$Q_{100} = 1270 CA^{.663}$$

$$= 1270 (.323)^{.663}$$

$$Q_{100} = 600 \text{ cfs}$$

Secondary Spillway Capacity

$$Q = C L H^{3/2}$$

$$C = 2.6$$

$$L = 120$$

$$H = 3$$

$$= (2.6)(120)(3)^{1.5}$$

$$= 1620 \text{ cfs}$$

Section 74:02:08:09

1. Topo Map - OK
2. Dam Axis Profile - 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 - OK
9. EPP - N/A - Cont. 3 - OK

NRCS Annual Yield

$$DA = 207 \text{ Ac} \quad CN = 80 \quad ISO = 2\frac{1}{2}$$

$$80\% \text{ chance} = 0.35$$

$$0.35 \times 207^{1/2} = 6 \text{ Ac-Ft}$$

$$50\% \text{ chance} = 0.80$$

$$0.80 \times 207^{1/2} = 14 \text{ Ac-Ft}$$

$$10\% \text{ chance} = 3.0$$

$$3.0 \times 207^{1/2} = 52 \text{ Ac-Ft}$$

Schaal, Tim

From: Schaal, Tim
Sent: Friday, July 28, 2006 11:44 AM
To: Scott Schweitzer (scotts@broszengineering.com)
Subject: R.L. Smith dam

Scott--here is that info on the NRCS sand anti seep collars and some notes from our phone call.

Since the dam is over 40 feet high we need to go with a 100 yr event for the spillway design and I would like to see the aux. spillway moved over off of the dam grade itself.

If you have any question, please let me know.

Tim

07/28/2006



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 28, 2006

R. Lee Smith
1200 River Place Boulevard
Jackson, FL 32207

Dear Mr. Smith:

We have reviewed the plans and specifications for your dam project located in the SW ¼ NW¼ and NW ¼ SW¼ of Sec. 13-T103N-R79W, in Lyman County. The plans and specifications for the construction of your dam 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. 2594-2 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 Smith Dam will be classified as a small size Category 3, Low Hazard dam with a dam height of 43 ft. and a normal storage capacity of 86 acre-feet and a maximum storage capacity of 138 acre-feet.

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

Sincerely,

Timothy G. Schaal, P.E.
Natural Resources Engineering Specialist
for Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

c: Laurie Schultz, Brosz Engineering

REPORT ON
WATER PERMIT APPLICATION No. 2594 -2
R. Lee Smith
August 24, 2006

Water Permit Application No. 2594-2 has been filed by R. Lee Smith to impound 86 acre-feet of water by constructing a dam located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13-T103N-R79W, in Lyman County. The application also requests impoundment of sufficient water to maintain water at the outlet elevation. The water will be used for recreation, fish and wildlife production and livestock watering purposes.

Discussion:

The dam will be classified as a small size, Category 3, Low Hazard dam. Brosz Engineering has designed the dam. The plans and specifications have been reviewed and will be approved; however, construction of the dam can not begin until Water Permit Application No. 2594-2 is approved.

The dam will be 43 feet high with a normal storage capacity of 86 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 138 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 100-year frequency event.

The dam has a drainage area of 207 acres or 0.323 square miles. The dam is designed to have a 12 inch HDPE pipe with five feet of available freeboard as the primary spillway and a 120 foot wide earthcut spillway with three feet of available freeboard as the secondary spillway. A 100 year frequency event produces a peak runoff of approximately 600 cfs. The earthcut secondary spillway will have a capacity of approximately 1620 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 6 acre-feet. The annual yield with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be 14 acre-feet and the annual yield with a 10 percent chance, or 1 out of 10 years, is expected to be 52 acre-feet.

The Smith Dam will be located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13-T103N-R79W on an unnamed tributary to Sedlano Creek about 1.0 miles upstream of the confluence of the unnamed tributary and Sedlano Creek and 2.5 miles upstream of the confluence of Sedlano Creek and the White River. There are no existing Water Permits/Rights located on the unnamed tributary or Sedlano Creek between the proposed dam and White River.

Conclusions:

1. Water Permit Application No. 2594-2 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. 2594-2.



Timothy G. Schaal, P.E.
Natural Resources Engineering Specialist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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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. 2594-2, R. Lee Smith**

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. 2594-2, R. Lee Smith, 1200 River Place Boulevard, Jackson FL 32207.

The Chief Engineer is recommending APPROVAL of Application No. 2594-2 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. 2594-2 authorizes a dam with a storage capacity of 86 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
August 28, 2006

Publisher's Affidavit of Publication

STATE OF SOUTH DAKOTA)
COUNTY OF LYMAN)SS
)

Lucy Halverson, of said county and state being duly sworn on her oath says: The Lyman County Herald is a weekly newspaper of general circulation and published in Presho, Lyman County, and State of South Dakota; and has been such newspaper during the times hereinafter mentioned; That said newspaper is a legal weekly, that it has a bonafide circulation of more than 200 copies weekly, that it has been published within said County of Lyman more than fifty-two successive weeks next prior to publication of the notice hereinafter mentioned and maintained at the place of publication; That I, the undersigned am editor of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit; that the advertisement headed:

Notice of Water

a printed copy of which is hereto attached and published in the said newspaper for 2 consecutive week(s).

The first publication of said notice in said newspaper aforesaid was on Wednesday, the 6 day of Sept. A.D., 2006 and that the succeeding publications were severally

Wednesday, the _____ day of _____	A.D., 2006
Wednesday, the _____ day of _____	A.D., 2006
Wednesday, the _____ day of _____	A.D., 2006
Wednesday, the _____ day of _____	A.D., 2006
Wednesday, the _____ day of _____	A.D., 2006
Wednesday, the _____ day of _____	A.D., 2006
Wednesday, the _____ day of _____	A.D., 2006
Wednesday, the _____ day of _____	A.D., 2006

and the last publication on Wednesday, the 13 day of Sept., 2006, that the full sum of fees charged for publishing the same, to-wit; the sum of \$ 46.22 insures solely to the editor of The Lyman County Herald. That no agreement or understanding for any division thereof had been made with any other person, and that no part thereof has been agreed to be paid to any person whatsoever.

Lucy Hal
Renelle Utthe

Notary Public

Subscribed and sworn to before me this 14 day of Sept., 2006

My Commission expires RENELLE UTHE
NOTARY PUBLIC - SOUTH DAKOTA, 2007
My Commission Expires
September 20, 2007

RECEIVED

SEP 15 2006

WATER RIGHTS
PROGRAM

applicant must be filed by September 25, 2006.

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.

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 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

NOTICE OF APPLICATION NO. 2594-2 to Appropriate Water

Notice is given that R Lee Smith, 1200 River Place Boulevard, Jackson FL 32207 has filed an application for a water permit to impound 86 acre-feet of water from an unnamed tributary to the White River by constructing a dam located in the SW 1/4 NW 1/4, NW 1/4 SW 1/4 Section 13 with water impounded in the SW 1/4 NW 1/4, NW 1/4 SW 1/4 Section 13 and SE 1/4 NE 1/4 Section 14; all in T103N-R79W. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation, recreation and livestock water purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2594-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it



Instruction to Newspaper - Publish first Notice on September 6, 2006 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2594-2 to Appropriate Water

Notice is given that R Lee Smith, 1200 River Place Boulevard, Jackson FL 32207 has filed an application for a water permit to impound 86 acre-feet of water from an unnamed tributary to the White River by constructing a dam located in the SW ¼ NW ¼, NW ¼ SW ¼ Section 13 with water impounded in the SW ¼ NW ¼, NW ¼ SW ¼ Section 13 and SE ¼ NE ¼ Section 14; all in T103N-R79W. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation, recreation and livestock water purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2594-2 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 September 25, 2006.

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

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

August 28, 2006

Lyman Co Herald
PO Box 518
Presho SD 57568

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2594-2 to Appropriate Water to be published twice. Please publish the first notice on September 6, 2006 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

Please **BILL** the **APPLICANT** for the cost of publication. The **APPLICANT** is R Lee Smith, 1200 River Place Boulevard, Jackson FL (Ph # 904-993-6118).

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-----

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

No. 2594-2

Date _____

We are in receipt of your letter of August 28, 2006 enclosing Notice to Appropriate Water by Application No. 2594-2 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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.**

August 28, 2006

R Lee Smith
1200 River Place Boulevard
Jackson FL 32207

Dear Mr. Smith:

Water Permit Application No. 2594-2 for fish & wildlife propagation & recreational use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Lyman Co. Herald printed at Presho, SD (Ph # 605-895-6397). 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 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. 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

cc: Laurie Schultz, Brosz Engineering, PO Box 23, Pierre SD 57501

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.



NOV 01 2008

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

R Lee Smith
1200 River Place Boulevard
Jackson FL 32207

Dear Mr. Smith:

Enclosed is Water Permit No. 2594-2 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

cc: Laurie Schultz, Brosz Engineering,

Permit No. 2594-2
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, **November 4, 2009**, made a thorough examination of the water use system constructed by **R Lee Smith** of **1200 River Place Boulevard, Jackson, FL 32207** holder of Permit No. **2594-2**, bearing the priority of **July 20, 2006** authorizing the storage of **86** acre-feet of the waters of **tributary of White River** for **fish & wildlife propagation and recreational use** purposes, in **Lyman** County.

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

A. Works used to divert the water:

A 43 ft. high earthen dam with a normal storage capacity of 86 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 43 ft. high earthen dam with a normal storage capacity of 86 acre-feet of water

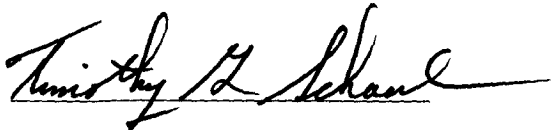
The system is in the following condition **good**. The point of diversion is located **2500 ft. south & 1150 ft. east of the NW corner of Sec. 13-T103N-R79W (NW ¼ SW ¼, SW ¼ NW ¼) (Lat. 43.724529 & Long. -100.235672)**. The works are capable of diverting storing **86** acre-feet of water which is to be used for **fish & wildlife propagation and recreational use**. Water has been put to beneficial use to the maximum extent as follows:

A 43 ft. high earthen dam with a normal storage capacity of 86 acre-feet of water

and the license should be issued for **86** acre-feet of storage.

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

Exceptions to compliance are: **none** Date Report Completed: **March 31, 2010**



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

REPORT ON INSPECTION OF PERMIT NO. 2594-2

DATE OF INSPECTION: **November 4, 2009**

NAME & ADDRESS OF INSPECTION CONTACT/ **Jeff Jessop**

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: **manager**

NAME & ADDRESS OF PERMIT HOLDER: **R Lee Smith, 1200 River Place Boulevard, Jackson FL, 32207**

DIVERSION POINT LEGAL LOCATION: **2500 ft. south & 1150 ft. east of the NW corner of Sec. 13-T103N-R79W (NW ¼ SW ¼, SW ¼ NW ¼) (Lat. 43.724529 & Long. -100.235672).**

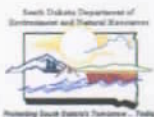
DAM INFORMATION:

- 1) Height to crest **43** feet
- 2) Height to primary spillway **38** feet
- 3) Height to secondary spillway **40** feet
- 4) Crest width **14** feet
- 5) Crest length **485** feet
- 6) Spillway length **XXX** feet
- 7) Spillway width **120** feet
- 8) Approx. storage (Normal) **86** acre-feet
- 9) Approx. storage (Maximum) **138** acre-feet
- 10) Date constructed: **2006**

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. 2594-2



Timothy G. Schaal

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

3/31/10



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 29 2010

2594-2

R Lee Smith
1200 River Place Boulevard
Jackson FL 32207

Dear Mr. Smith:

Enclosed is your Water License No. 2594-2. The license is the final document which completes the process of obtaining a water right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2594-2

(1) R Lee Smith, 1200 River Place Boulevard, Jackson FL 32207 made Application No. 2594-2, July 20, 2006 for a water permit to impound 86 acre feet of water from an unnamed tributary to the White River, Lyman County, South Dakota for fish and wildlife propagation, recreation and domestic use purposes. Permit No. 2594-2, with a priority date of July 20, 2006 was approved September 25, 2006 and issued to the applicant for storage of water with construction of the impoundment to be completed on or before September 25, 2011 and for the application to beneficial use of said water on or before September 25, 2015.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the storage dam and is entitled to impound 86 acre feet of water per second for beneficial use.

The location of the storage dam (spillway) is 2,500 feet south and 1,150 feet east of the NW corner of Section 13, T103N, R79W (NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$).

(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 R Lee Smith, 1200 River Place Boulevard, Jackson FL 32207 the holder and/or owner of Water Right No. 2594-2 is issued a license to impound water, the right to store 86 acre feet of water from an unnamed tributary of the White River at the location specified in (2) of this license for fish & wildlife propagation, recreational and domestic uses.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2594-2 and subject to the following qualifications:

- No. 2594-2 authorizes a dam with a storage capacity of 86 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 bypassed.



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

APR 29 2010

date

