

WATER PERMIT NO. 2683-2

Name of Applicant: Jeffrey J Gregg

Address: 29272 US Hwy 18, Carter SD 57580

Phone: 605 879-2242

Amount of Water Claimed: 60 acre-feet

Total Acres: NA

Source of Water Supply: runoff

Water to be used for: fwp, recreation and livestock

County: Todd

Type of Waste Disposal System:

Location: 7 miles east of Carter

PRIORITY

Date Received: 5-10-12

Application/License Fee: \$ 700

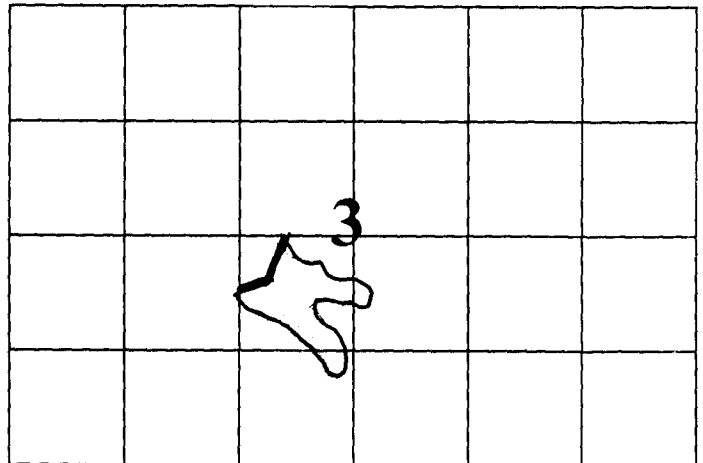
Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NE ¼ SW ¼ Sec 3-T39N-R25W

Water Impounded: E ½ SW ¼, NW ¼ SE ¼ Sec 3-T39N-R25W



Depth of Well: NA

Well Driller:

Remarks:

Type of Map: topo

Prepared by: Joseph E Nichols, USFWS

Reviewed and the Number Assigned on: 5-10-12

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

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MAY 10 2012
WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	(office use only) No. <u>2683-2</u> Hydrologic Unit <u>10140204</u> Basin <u>White River</u> Newspaper <u>Todd Co. Tribune PO Box 229</u> <u>605-856-4469</u> <u>mission 57555</u>
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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 cattle	

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 Jeffrey J. Gregg Phone 605-879-2242
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 29272 US Hwy 18 Carter SD 57580
(Address) (City) (State) (Zip Code)
- Amount of water claimed *CFS or **GPM 60 ***AF
(Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply dry draw in Todd County
- Location of point of diversion (example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W) County Todd
NE 1/4 SW 1/4 Section 03 Township 39N, Range 25W.
Water impounded: E 1/2, SW 1/4 NW 1/4 Sec 3 T 39N R 25W
- County or counties where water will be used Todd
- Annual period during which water is to be used Year round 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)
This is the rebuild of an existing embankment pond but due the scope of the project the site is being expanded and requires a water permit. The grade will be 900 feet long with a 12 foot top and a height of 15 feet. The Emergency spillway will be 100 feet wide and the primary spillway will be a 60" CMP inlet with a 48" CMP outlet. Borrow to build project will be from the pooling area.

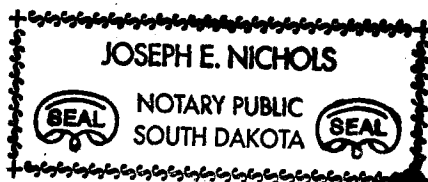
STATE OF SOUTH DAKOTA)

County of Todd)

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

I, Jeffrey J. Gregg, 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 Jeffrey J. GreggSubscribed and sworn to before me this 8th day of May, 20 12Notary Public signature Joseph E. Nichols

2010-01



My Comm. Expires: March 26, 2017.

**SOUTH DAKOTA
WATER PERMIT NO. 2683-2**

Date of first receipt of application May 10, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2683-2 to Jeffrey J Gregg, 29272 US Hwy 18, Carter SD 57580 authorizing the reconstruction of a dam and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2683-2 authorizes impoundment of 60 acre-feet of water from runoff by repairing an existing dam located in the NE 1/4 SW 1/4 Section 3 with water impounded in the E 1/2 SW 1/4, SE 1/4 NW 1/4 and NW 1/4 SE 1/4 Section 3; all in T39N-R25W.
2. The water appropriated shall be used for the purpose of fish and wildlife propagation, recreational use and livestock water 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. 2683-2 is July 9, 2012.
5. The date from which applicant may claim right is May 10, 2012.
6. One-fifth of the construction is to be completed on or before January 9, 2015.
7. All construction is to be completed on or before July 9, 2017.
8. Water is to be put to beneficial use on or before July 9, 2021.
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. 2683-2 authorizes an impoundment with a storage capacity of 60 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.

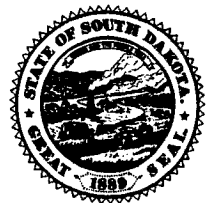
WATER MANAGEMENT BOARD

By: Garland Erbele

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

SEP 07 2012

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ 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 applicant's 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:
David Konechne Reg. Professional Engineer
104 Capitol Hill Drive
Pierre, SD 57501

b) Freeboard 5 feet

c) Crest Width 12 feet

Crest Length 900 feet

d) Height 15 feet

e) Primary Outlet Capacity 192 cfs

If pipe. diameter 60" in & 48" out CMP

f) Secondary Spillway Capacity 953 cfs

Spillway Width 100 feet

g) X & Y Slope (e.g. 3 to 1 is a typical slope)

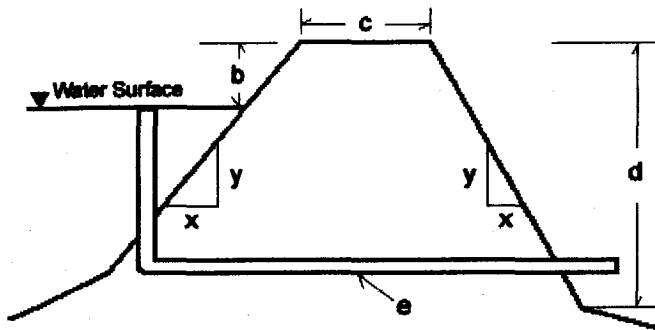
Upstream 3:1

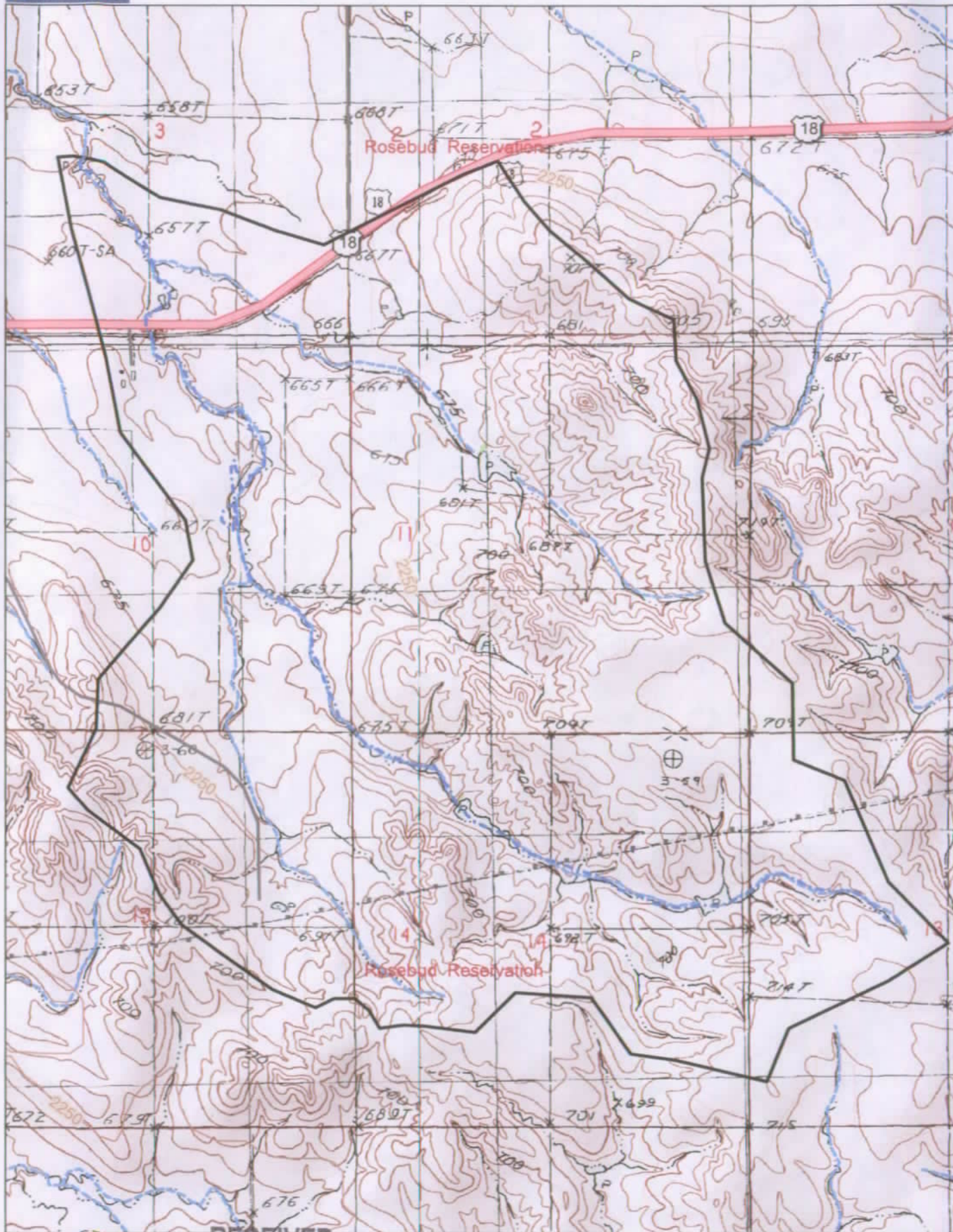
Downstream 3:1

h) Surface Area of Impoundment 17.2 acres

i) Storage 60.0 Acre Feet

j) Drainage Area Above Dam 2,074.0 Acres





Data use subject to license.
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www.delorme.com

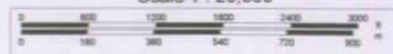
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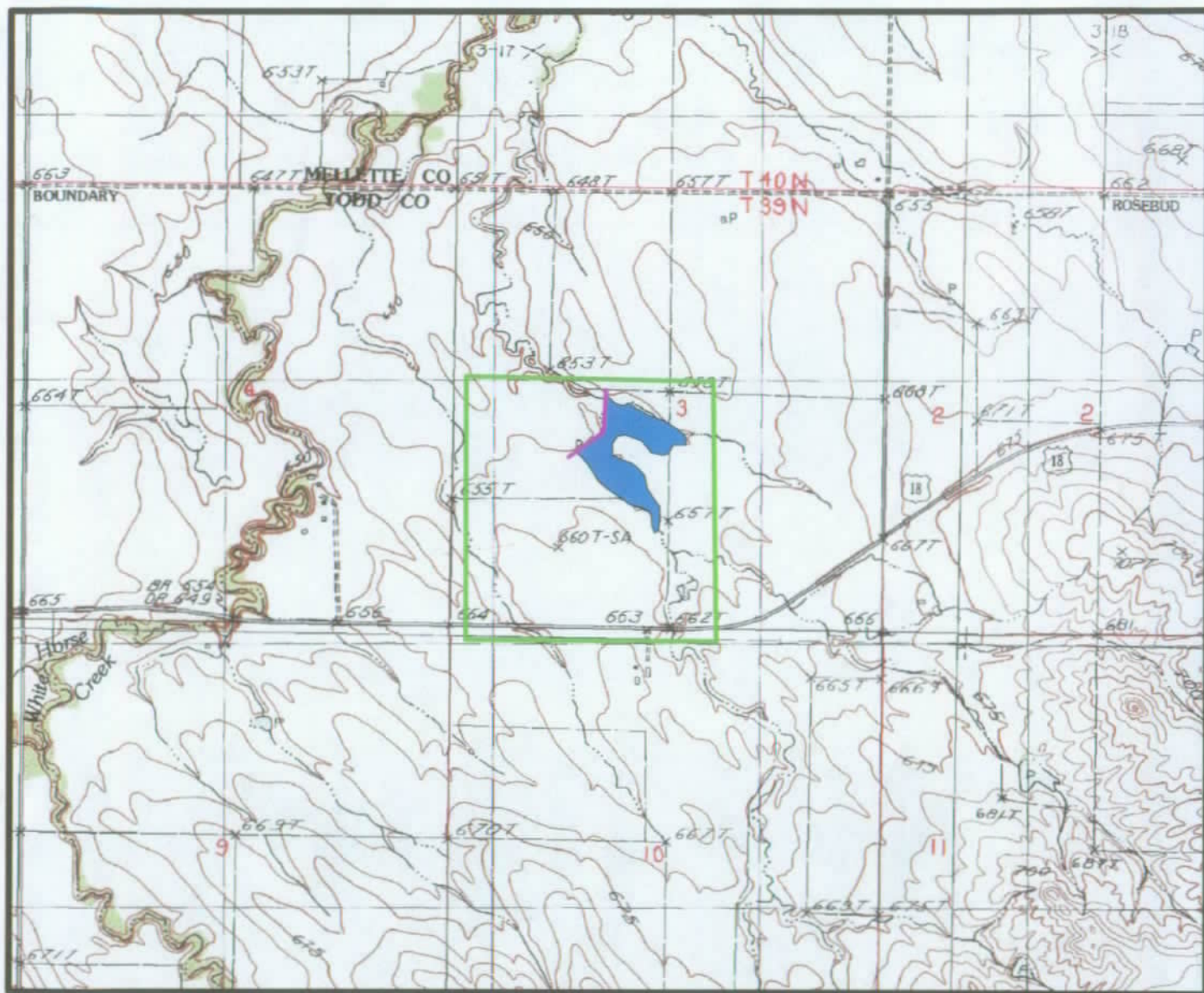
Scale 1 : 20,800



1" = 1,733.3 ft Data Zoom 12-5



Jeffrey J. Gregg Todd County



0 0.25 0.5 1 Miles



Project Boundary



Embankment



Wetland Created



Map By: *Joyce M. White*
USFWS

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

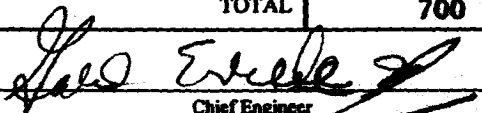
Date 5/10, 20 12

RECEIVED OF Jeffrey L Gregg 29272 US Hwy 18 Winner SD 57580

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

Fee for Application for Permit No. <u>2683-2</u> to Appropriate Water, to construct and to put water to beneficial use	500	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>2683-2</u>	200	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	700	00

No. **05436**

By 
Chief Engineer

Document prepared by:
Joseph E. Nichols, Wildlife Biologist
US Fish & Wildlife Service
29746 Bird Road
Martin, SD 57551
(605) 685-6508

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WATER RIGHTS
PROGRAM

AGREEMENT AND GRANT OF EASEMENTS

This AGREEMENT AND GRANT OF EASEMENTS is made by and between Donald L. Brickman & Eva Jean Brickman of 29345 U.S. Hwy 18, Winner, SD 57580, hereafter referred to as GRANTOR, and Jeffrey J. Gregg of 29272 US Hwy 18, Carter, SD 57580, hereafter referred to as GRANTEE.

Consideration for this agreement is \$1 and other valuable consideration, receipt of which is acknowledged by GRANTOR. In consideration thereof the parties agree as follows:

GRANTOR is the owner in fee of real property situated in Todd County, South Dakota and described as: NW¼ SE ¼ Section 03, T39N, R25W, which property is hereafter referred to as PROPERTY.

Due to an approved renovation project by the GRANTEE, in cooperation with the U.S. Fish & Wildlife Service and the South Dakota Game, Fish & Parks, on and to a structure locally known as the Gregg Dam Number 2 located on GRANTEE downstream property in the NE ¼ SW1/4 Section 03, T39N, R25W and need for additional easements to facilitate said project, GRANTOR grants and conveys to the GRANTEE additional rights and easements on GRANTOR's PROPERTY as provided herein.

GRANTOR grants and conveys to GRANTEE the right to temporarily flood certain portions of GRANTOR's PROPERTY as described above in perpetuity. Temporary flooding of PROPERTY during rare and extreme runoff events will extend to elevation 100.0, the same elevation as the top of the reconstructed Gregg Dam Number 2 structure. Elevation of the normal dam pool is at elevation 95.0 and will impound 1.13 acres of water on GRANTOR's PROPERTY.

GRANTOR, for the consideration stated herein, for himself and for his heirs, successors, and assigns, expressly waives and releases GRANTEE and its assigns or representatives from any and all claims they may have for damages which may have occurred or which in the future may occur by reason of construction or maintenance of any of the facilities and structures contemplated by the renovation project and as permitted by this agreement by reason of flooding, overflow, or the depositing of material resulting from said flooding or overflow.

The covenants, agreements, and obligations herein contained shall extend to, bind and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors and assigns.

IN WITNESS WHEREOF, the GRANTOR and the GRANTEE have executed this Agreement as of the day affixed to this Agreement.

GRANTOR

Donald L. Brickman Eva Jean Brickman executed this 11th day of April, 2012.
Donald L. Brickman & Eva Jean Brickman

GRANTEE

Jeffrey J. Gregg executed this 11th day of April, 2012.
Jeffrey J. Gregg

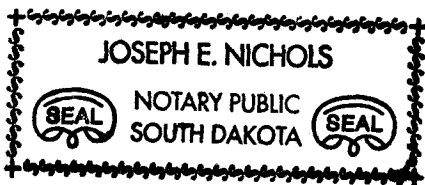
STATE OF SOUTH DAKOTA

COUNTY OF Todd)SS
)

On this the 11th day of April, 2012, before me, the undersigned officer, personally appeared Donald L. Brickman & Eva Jean Brickman, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In WITNESS WHEREOF, I hereunto set my hand and official seal.

(NOTARY SEAL)



Joseph E. Nichols
Notary Public, South Dakota
Commission expires: 03/26/2017

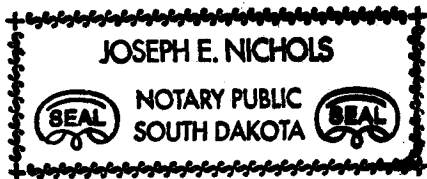
STATE OF SOUTH DAKOTA

COUNTY OF Todd)SS
)

On this the 11th day of April, 2012, before me, the undersigned officer, personally appeared Jeffrey J. Gregg, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In WITNESS WHEREOF, I hereunto set my hand and official seal.

(NOTARY SEAL)



Joseph E. Nichols
Notary Public, South Dakota
Commission expires: 03/26/2017



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 6, 2012

Water Resources & Environment
Rosebud Sioux Tribe
PO Box 430
Rosebud SD 57570

Sir:

Please find enclosed the staff report, recommendation and publication notice for a water permit application filed by Jeffrey Gregg in Todd County. Public notice is to be published in the Todd County Tribune and Pierre Capital Journal.

This information is being sent to you as part of the DENR's commitment to keep the Rosebud Sioux Tribe informed of water permitting issues in Todd County.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures

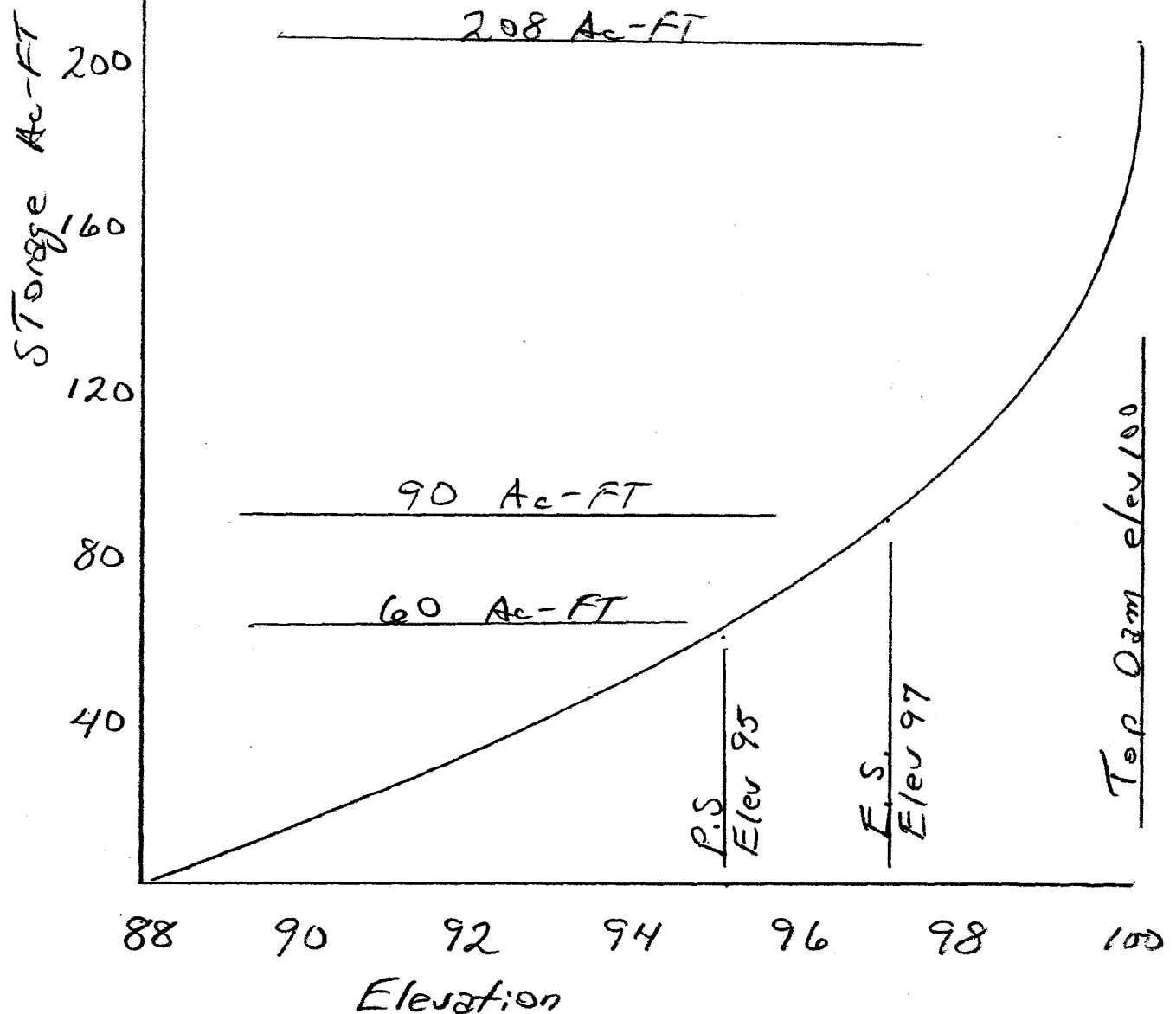
COMPUTATION SHEET

BY	DATE	PROJECT <i>Jeff Gregg</i>	SHEET ____ OF ____
CHKD BY	DATE	FEATURE	
DETAILS <i>NESW Sec 3, T 39N, R 25W Todd Co.</i>			

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WATER RIGHTS
PROGRAM



MAY 10 2012

WATER RIGHT
PROGRAM

1*****
 SITES XEQ 03/22/2012 WATER RESOURCE SITE ANALYSIS COMPUTER PROGRAM
 VER 2005.1.05 (USER MANUAL - DATED DECEMBER 2005)
 TIME 10:15:27

***** 80-80 LIST OF INPUT DATA *****

SITES 01/01/2005 J. Gregg NESW3,T39N.R25W 3.240625 H5
 SAVMOV 0 101
 SAVMOV 101 1 1
 STRUCTURE

88 0
 95 17.2
 97 26.7
 100 42.6

ENDTABLE
 WSDATA 5A1 AC 75 2074 20064 4
 PDIRECT 2.6 4.10
 POOLDATA ELEV 95 95 86 86 SC
 PSINLET 1 15.7
 PSDATA 1 78 48 .025 87
 ASDATA 41 80 50 2 .05 2
 ASINSURF 41 .035
 ASINLET 41 0.0 0.0 50 0.0 3
 80 5

ENDTABLE
 ASEXSURF 41 .035
 .65 0
 3
 2 0
 .02

ENDTABLE
 ASEXIT 41 N 50
 BTMWIDTH FEET 100
 GRAPHICS I
 GO,DESIGN HL TYPE2 24 TYPE2378 24
 SAVMOV 2 101 1
 ENDJOB

***** MESSAGE - ALTERNATE STRUCTURE ID (S 1) BEING USED
 SINCE USER DID NOT INPUT AN ID.

***** MESSAGE - ALTERNATE SUBWATERSHED ID (A) BEING USED SINCE
 USER DID NOT INPUT AN ID.

***** MESSAGE - DRAINAGE AREA FROM WSDATA CONTROL BEING CONVERTED FROM
 ACRES TO SQUARE MILES FOR COMPUTATION PURPOSES.

1SITES -----
 XEQ 03/22/2012 J. Gregg NESW3,T39N.R25W WSID=
 VER 2005.1.05 SUBW= A
 TIME 10:15:27 SITE = S 1 PASS= 1 PART= 1

***** BASIC DATA *****

CLIMATE AREA - NOT DEFINED

DESIGN CLASS A1 = LT 3000.

STORM DISTRIBUTION-PSH 24 HOUR TYPE II RAINFALL DISTRIBUTION

STORM DISTRIBUTION AUX. -24 HOUR TYPE II RAINFALL DISTRIBUTION

PRECIP. - P-PS, 1-DAY	P-PS, 10-DAY	P-SD	P-FB	
2.60	0.00	0.00	4.10	
WSDATA - CN	DA-SM	TC/L	-/H	QRF
75.00	3.24	20064.00	4.00	0.00
SITEDATA- PERM POOL	CREST PS	FP SED	VALLEY FL	378?
95.00	95.00	0.00	86.00	YES
BASEFLOW	INITIAL EL	EXTRA VOL	SITE TYPE	
0.00	0.00	0.00	DESIGN	
PSDATA - NO. COND	COND L	DIA/W	-/H	
1.00	78.00	48.00	0.00	
PS N	KE	WEIR L	TW EL	
0.025	1.00	15.70	87.00	
2ND STG	ORF H	ORF L	START AUX.	
0.00	0.00	0.00	0.00	
ASCRESTS - AUX.1	AUX.2	AUX.3	AUX.4	AUX.5
0.00	0.00	0.00	0.00	0.00
AUX.DATA - REF.NO.	RETARD. Ci	TIE STATION	INLET LENGTH	
41	0.00	80.00	50	
AUX.DATA - INLET N	SIDE SLOPE	EXIT N	EXIT SLOPE	ACTUAL AUX?
0.035	2.00	0.035	0.050	NO
BTM WIDTH - BW1	BW2	BW3	BW4	BW5
ft 100.00	0.00	0.00	0.00	0.00

AUXILIARY SPILLWAY RATING DEVELOPED USING WSPVRT.

1SITES

XEQ 03/22/2012	J. Gregg NESW3,T39N.R25W	WSID=
VER 2005.1.05		SUBW= A
TIME 10:15:27	SITE = S 1	PASS= 1
		PART= 2

MESSAGE ---- Climatic Index changed from 0.0 to 1.0 for this run.

PERM POOL	95.00 FT	60.2 ACFT	17.20 AC	0.0 CFS
CREST PS	95.00 FT	60.2 ACFT	17.20 AC	0.0 CFS
SED ACCUM	95.00 FT	60.2 ACFT	17.20 AC	0.0 CFS
START ELEV	95.00 FT	60.2 ACFT	17.20 AC	0.0 CFS
NRCS-PSH	D= 24.00 HR	P= 2.60 IN	Q= 0.71 IN	DA= 3.24 SM

TC= 3.39 HR CN= 75.00 VOL= 122.8 ACFT

PEAK = 284.8 CFS, AT 14.2 HRS.

ROUTED RESULT - HYD TYPE EMAX VOL-MAX AMAX QMAX
NRCS-PSH 97.02 FT 104.7 ACFT 26.82 AC 140.2 CFS

PS STORAGE 44.5 ACFT, BETWEEN AUX. CREST AND SED. ACCUM ELEVATIONS.

DRAWDOWN (DDT) TEST 95.00 FT 60.2 ACFT 0.00 CFS
CONTROL IS 0.000 DETENTION STORAGE

DRAWDOWN TIME = 1.83 DAYS, TO 0.0 CFS (LIMIT = 10.00 DAYS)

RATING TABLE DEVELOPED, SITE = S 1:
BY PROGRAM FOR PS AND AUX. SPILLWAYS
AUX. RATING USED WSPVRT METHOD.

RATING TABLE NUMBER 1

	ELEV. FEET	Q-TOTAL CFS	Q-PS CFS	Q-AUX. CFS	VOLUME AC-FT	AREA ACRE
1	95.00	0.00	0.00	0.00	60.20	17.20
2	95.59	21.90	21.90	0.00	71.12	19.99
3	96.17	61.95	61.95	0.00	83.68	22.78
4	96.76	113.81	113.81	0.00	97.87	25.57
					FULL CONDUIT FLOW, ELEV = 97.35 FT	
5	97.35	175.22	175.22	0.00	113.74	28.55
6	97.68	178.10	178.10	0.00	123.49	30.31
7	98.01	180.84	180.84	0.00	133.83	32.06
8	98.34	183.54	183.54	0.00	144.74	33.82
9	98.67	186.20	186.20	0.00	156.24	35.57
10	99.01	188.82	188.82	0.00	168.32	37.33
11	99.34	191.41	191.41	0.00	180.98	39.09
12	99.67	193.97	193.97	0.00	194.22	40.84
13	100.00	196.49	196.49	0.00	208.05	42.60

1SITES

XEQ 03/22/2012 J. Gregg NESW3,T39N.R25W WSID=
VER 2005.1.05 SUBW= A
TIME 10:15:27 SITE = S 1 PASS= 1 PART= 3

AUX. CREST 97.02 FT 104.7 ACFT 26.82 AC 140.2 CFS

PS STORAGE 44.5 ACFT, BETWEEN AUX. CREST AND SED. ACCUM ELEVATIONS.

START ELEV 95.00 FT 60.2 ACFT 17.20 AC 0.0 CFS

EFFECTIVE HEIGHT(H)= 11.0 FEET, PRODUCT= 1154. (H * STORAGE AT CREST AUX.).

INPUT DESIGN CLASS = A1 = LT 3000. PRODUCT.

NRCS-FBH D= 24.00 HR P= 4.10 IN Q= 1.74 IN DA= 3.24 SM

TC= 3.39 HR CN= 75.00 VOL= 301.2 ACFT

PEAK = 767.1 CFS, AT 14.2 HRS.

 RATING TABLE DEVELOPED, SITE = S 1:
 BY PROGRAM FOR PS AND AUX. SPILLWAYS
 AUX. RATING USED WSPVRT METHOD.

RATING TABLE NUMBER 2

	ELEV. FEET	Q-TOTAL CFS	Q-PS CFS	Q-AUX. CFS	VOLUME AC-FT	AREA ACRE
1	95.00	0.00	0.00	0.00	60.20	17.20
2	95.22	5.18	5.18	0.00	64.19	18.27
3	95.45	14.66	14.66	0.00	68.41	19.33
4	95.67	26.94	26.94	0.00	72.87	20.40
5	95.90	41.48	41.48	0.00	77.58	21.47
6	96.12	57.97	57.97	0.00	82.52	22.54
7	96.35	76.20	76.20	0.00	87.71	23.60
8	96.57	96.02	96.02	0.00	93.13	24.67
9	96.80	117.31	117.31	0.00	98.80	25.74
10	97.02	139.98	139.98	0.00	104.70	26.82
11	97.13	158.34	151.43	6.91	107.65	27.40
12	97.24	176.97	163.18	13.79	110.66	27.97
FULL CONDUIT FLOW, ELEV = 97.35 FT						
13	97.35	198.57	175.22	23.35	113.74	28.55
14	97.48	222.02	176.43	45.59	117.57	29.25
15	97.61	251.39	177.54	73.85	121.50	29.95
16	97.85	322.28	179.53	142.75	128.79	31.22
17	98.14	432.96	181.92	251.04	138.12	32.76
18	98.67	692.13	186.20	505.93	156.24	35.57
19	99.34	1091.18	191.41	899.76	180.98	39.09
20	100.00	1581.55	196.49	1385.07	208.05	42.60

SUMMARY OF AUXILIARY SPILLWAY SURFACE CONDITIONS USED IN COMPUTATIONS BY REACH

REACH	FROM STA (ft)	TO STA (ft)	SLOPE (%)	RETARDANCE CURVE INDEX@	VEGETAL COVER FACTOR	MAINT. CODE	ROOTING DEPTH (ft)	REACH LOCATION *
1	30.	80.	0.0	0.035	**	**	**	CREST
2	80.	130.	5.0	0.035	0.65	3	2.0	EXIT !

@ The program interprets retardance curve index entries of less than 1 as Manning's n values.

* Upper case indicates a reach of constructed spillway channel.

** The program does not use vegetal cover factor, maintenance code, and rooting depth for inlet and crest reaches in computations.

! Reach 2 used in computing exit channel velocities.

DRAWDOWN USING FREEBOARD STORM FOLLOWS, STARTING AT ELEVATION 97.02 FT.

DRAWDOWN (DDT) TEST 95.00 FT 60.2 ACFT 0.00 CFS
 CONTROL IS 0.000 DETENTION STORAGE

DRAWDOWN TIME = 2.24 DAYS, TO 0.0 CFS (LIMIT = 10.00 DAYS)

ROUTED	BTM WIDTH	MAX ELEV	VOL-MAX	AREA-MAX	AUX.-HP	VOL-AUX.
RESULTS	FT	FT	ACFT	AC	FT	ACFT
NRCS-FBH	100.0	98.41	147.0	34.2	1.39	42.3

^^^^ NOTE -- ACTUAL Hp OF 1.39 RAISED TO MEET MIN. 378 CRITERIA.

PEAK - CFS	Q-PS	Q-AUX.	Q-TOT.
DISCHARGE =	184.1	376.2	560.3

	CRITICAL DEPTH	CRITICAL VELOCITY	CRITICAL SLOPE-Sc	25% OF Q Sc
AUXILIARY	FT	FT/SEC	FT/FT	FT/FT
SPILLWAY ---	0.76	4.90	0.020	0.027

EROSIONALLY EFFECTIVE STRESS FOR STABILITY ANALYSIS OF AUX. EXIT CHANNEL
(Refer to Ag. Handbook 667, Chapt. 3, for allowable stresses.)

Aux. Spillway Discharge = 376. cfs; Bottom Width = 100. ft

REACH NO.	FROM STA	TO STA	SLOPE %	MANNING'S n	VELOCITY ft/s	TOTAL STRESS lb/ft^2	EFFECTIVE STRESS lb/ft^2
2	80.	130.	5.00	0.035	6.49	1.79	1.088

AUXILIARY SPILLWAY DURATION FLOW =	8.8 HOURS
ATTACK, OE/B =	1.0 ACFT/FT

***** MESSAGE - NHCP378 CRITERIA USED BUT AUXILIARY SPILLWAY RATING NOT
BASED ON ASFILE RATINGS.

EXIT CHANNEL FLOW SUPERCRITICAL: MAX VELOCITY= 6.5 FT/SEC
EXIT SLOPE = 0.050 FT/FT
FLOW DEPTH = 0.6 FT

>>>>> NHCP378 RUN - MINIMUM FLOW IN AUX. SPILLWAY FROM TR60
USING FORMULA WITHOUT 200 CFS MINIMUM LIMIT (423. CFS).

ROUTED	BTM WIDTH	MAX ELEV	VOL-MAX	AREA-MAX	AUX.-HP	VOL-AUX.
RESULTS	FT	FT	ACFT	AC	FT	ACFT
MIN. AUX.	100.0	98.51	150.4	34.7	1.48	45.7

^^^^ NOTE -- ACTUAL Hp OF 1.48 RAISED TO MEET MIN. 378 CRITERIA.

PEAK - CFS	Q-PS	Q-AUX.	Q-TOT.
DISCHARGE =	184.9	423.1	608.0

	CRITICAL DEPTH	CRITICAL VELOCITY	CRITICAL SLOPE-Sc	25% OF Q Sc
AUXILIARY	FT	FT/SEC	FT/FT	FT/FT
SPILLWAY ---	0.82	5.09	0.019	0.026

>>>>> NHCP378 RUN - MINIMUM DEPTH, CREST AUX. TO TOP OF DAM IS 2.00 FT.
NEW TOP OF DAM ELEVATION = 99.02.

ROUTED RESULTS	BTM WIDTH FT	MAX ELEV FT	VOL-MAX ACFT	AREA-MAX AC	AUX.HP FT	VOL-AUX. ACFT
MINIMUM AUX.	100.0	99.02	169.2	37.5	2.01	64.5
PEAK - CFS DISCHARGES =		Q-PS 189.0	Q-AUX. 712.6	Q-TOT. 901.6		
		CRITICAL DEPTH	CRITICAL VELOCITY	CRITICAL SLOPE-Sc	25% OF Q Sc	
AUXILIARY SPILLWAY ---		FT 1.15	FT/SEC 6.03	FT/FT 0.017	FT/FT 0.023	

>>>>> NHCP378 RUN - MINIMUM DEPTH, DESIGN FLOW TO TOP OF DAM; 1.00 FT REQUIRED
FOR THIS PASS. NEW TOP OF DAM ELEVATION = 99.41.

ROUTED RESULTS	BTM WIDTH FT	MAX ELEV FT	VOL-MAX ACFT	AREA-MAX AC	AUX.HP FT	VOL-AUX. ACFT
MINIMUM AUX.	100.0	99.41	184.0	39.5	2.39	79.3
PEAK - CFS DISCHARGES =		Q-PS 192.0	Q-AUX. 953.2	Q-TOT. 1145.2		
		CRITICAL DEPTH	CRITICAL VELOCITY	CRITICAL SLOPE-Sc	25% OF Q Sc	
AUXILIARY SPILLWAY ---		FT 1.40	FT/SEC 6.62	FT/FT 0.016	FT/FT 0.022	

Inflow Hyd 1 PSH-Peak = 140.23 CFS at 16.60 hrs., Location Point

Inflow Hyd 1 FBH-Peak = 560.27 CFS at 15.27 hrs., Location Point
HYDOUT 1

1SITES....JOB NO. 1 COMPLETE.

J. Gregg NESW3,T39N.R25W

0 SUBWATERSHED(S) ANALYZED.

1 STRUCTURE(S) ANALYZED.

2 HYDROGRAPHS ROUTED AT LOWEST SITE.

0 TRIALS TO OBTAIN BOTTOM WIDTH FOR SPECIFIED STRESS OR VELOCITY.

SITES.....COMPUTATIONS COMPLETE

227

>>>									
	SITE ID	SUBWS ID	SUBWS DA (SQ MI)	CURVE NO.	TC (HRS)	TOTAL DA (SQ MI)	TYPE DESIGN	STRUC CLASS	<<<
	S 1	A	3.24	75.	3.39	3.24	378CR	A1	

PASS NO.	DIA./ WIDTH (IN/FT)	AUX.CREST ELEV (FT)	BTM. WIDTH (FT)	MAX. HP (FT)	MAX. ELEV (FT)	EMB. VOL. (CY)	INTEGR.* DIST. (FT)	EXIT* VEL. (FT/SEC)	TYPE HYD
1	48.0	97.0	100.0	2.4	99.4	0.	0.	6.5	MIN. AUX.

* INTEGRITY DIST. AND EXIT VEL. ARE BASED ON THE ROUTED HYDROGRAPH AND WILL NOT RELATE TO THE MAX. ELEV. (TOP OF DAM), WHICH IS SET BY MINIMUM DESIGN CRITERIA.

SITES.....SUMMARY TABLE 1 COMPLETED.

NRCS SITES VERSION 2005.1.05 ,01/01/2005
FILES

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OUTPUT = C:\JGregg2\60-48.OUT
DATED 03/22/2012 10:15:27

GRAPHICS FILES GENERATED

OPTION "L" = C:\JGregg2\60-48.DRG DATED 03/22/2012 10:15:27
OPTION "P" = C:\JGregg2\60-48.DHY DATED 03/22/2012 10:15:27
OPTION "E" = C:\JGregg2\60-48.DEM DATED 03/22/2012 10:15:27

STRUCTURE DATA

DRAINAGE AREA	ANNUAL YIELD	PEAK RUNOFF	EMERG. SPLWY. CAPACITY	WATER DEPTH	SURFACE AREA	SEDIMENT STORAGE	TOTAL STORAGE
ACRES	AC. FT.	25-YR.	C.F.S.	FEET	ACRES	AC. FT.	AC. FT.
2074	60	767	953	7	17.2	—	60

Top of Dam 208

NOTE: Since minimum construction inspection is scheduled, it is necessary to hire a competent contractor.

Contractor can specify lifting lugs on the CMP for ease in handling.

NESW Sec. 3, T. 39 N. R. 25 W
Todd County

LOCATION

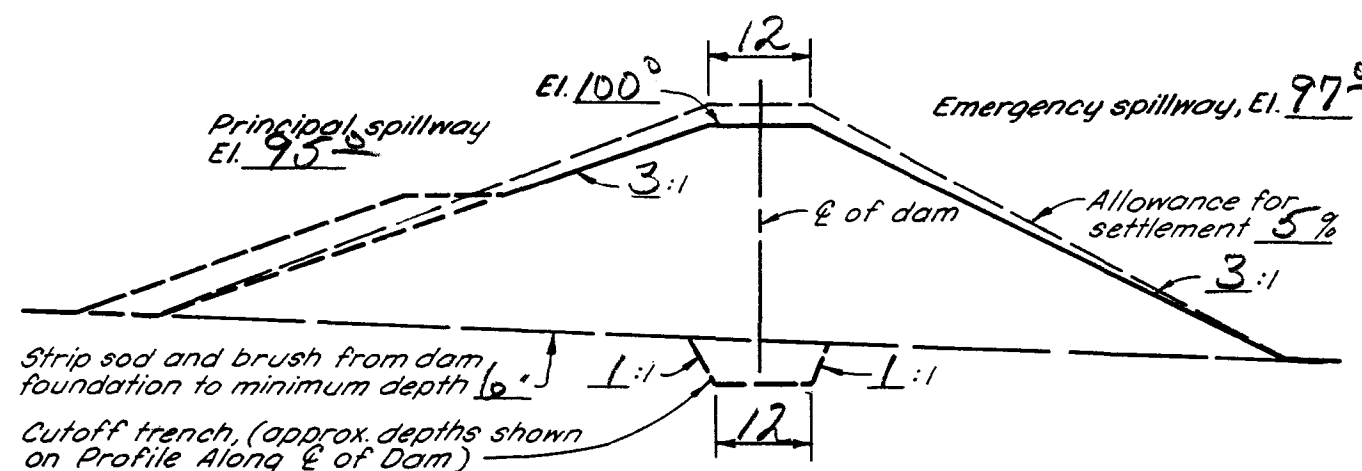
TABLE OF QUANTITIES

ITEM	UNIT	QUANTITY
Earth Fill (estimate)	cy	9300
8 ft-60" CMP w/4 ft-48" stub	e2	1
48" dia CMP	lin ft	74
Concrete	cy	1.9
Sand Seep	cy	37
4" dia PVC	lin ft	60
Timber Pipe Support	e2	1
Timber Trash Rack	e2	1

RECEIVED

MAY 10 2012

WATER RIGHTS PROGRAM



TYPICAL CROSS SECTION OF DAM

S.D. CONSTRUCTION AND MATERIAL SPECIFICATIONS:

- SD-2 Clearing
- SD-7s Earth Fill
- SD-9 Drain Fill
- SD-12B Concrete
- SD-15 CMP
- SD-16 Timber Fabrication
- SD-19 PVC

EARTH DAM

OPERATOR: Jeff Gregg	CONSERVATION DISTRICT: Class "A" Hazard
Designed: _____	Approved by: _____
Drawn: _____	Title: _____
Traced: _____	Sheet No. _____
Checked: _____	Drawing No. _____

SKETCH PLAN OF DAM AND RESERVOIR AREA

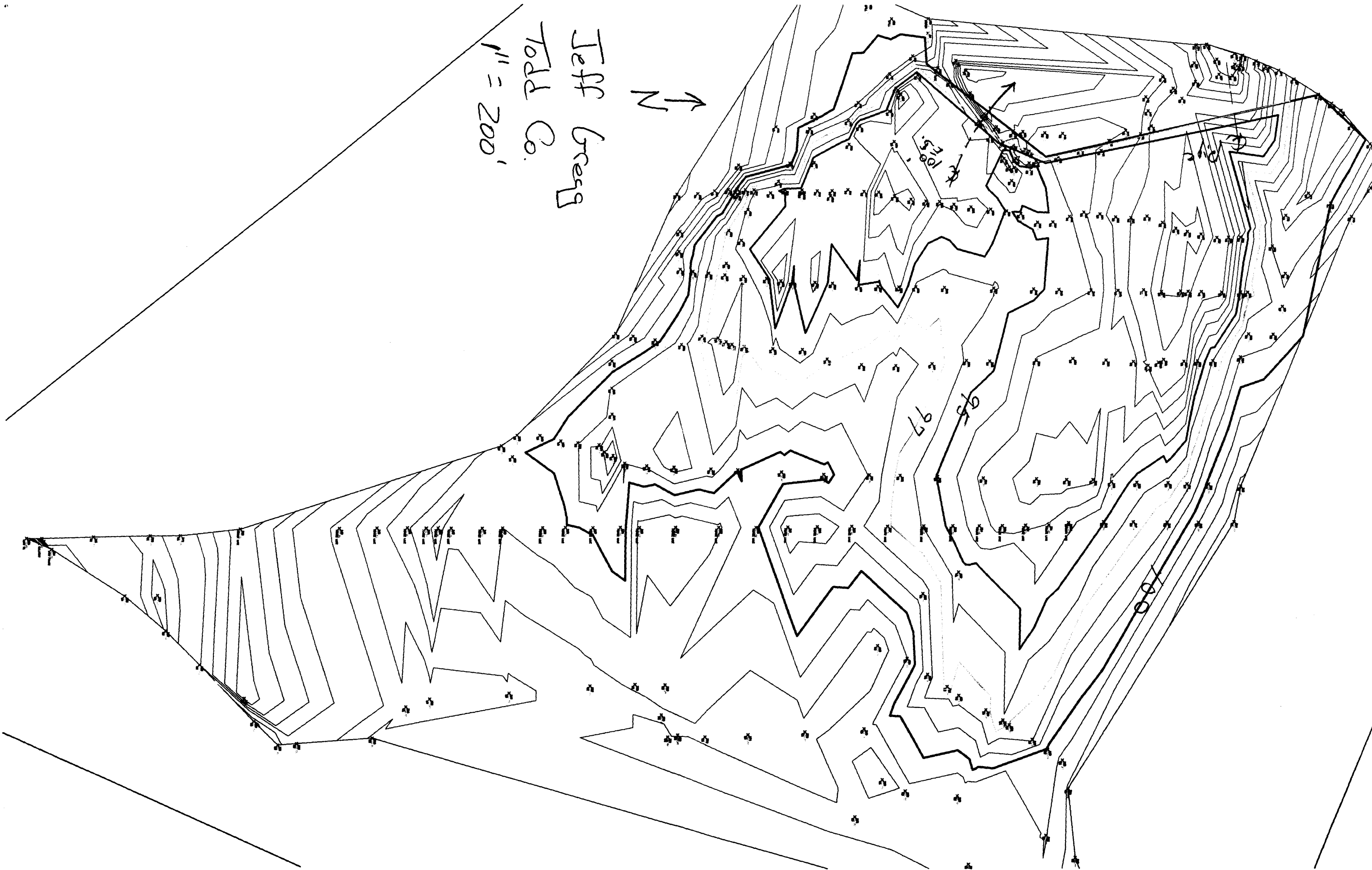
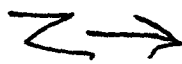
Approximate scale 1" = _____

REFERENCE: GUIDE PLAN NO. 1.0

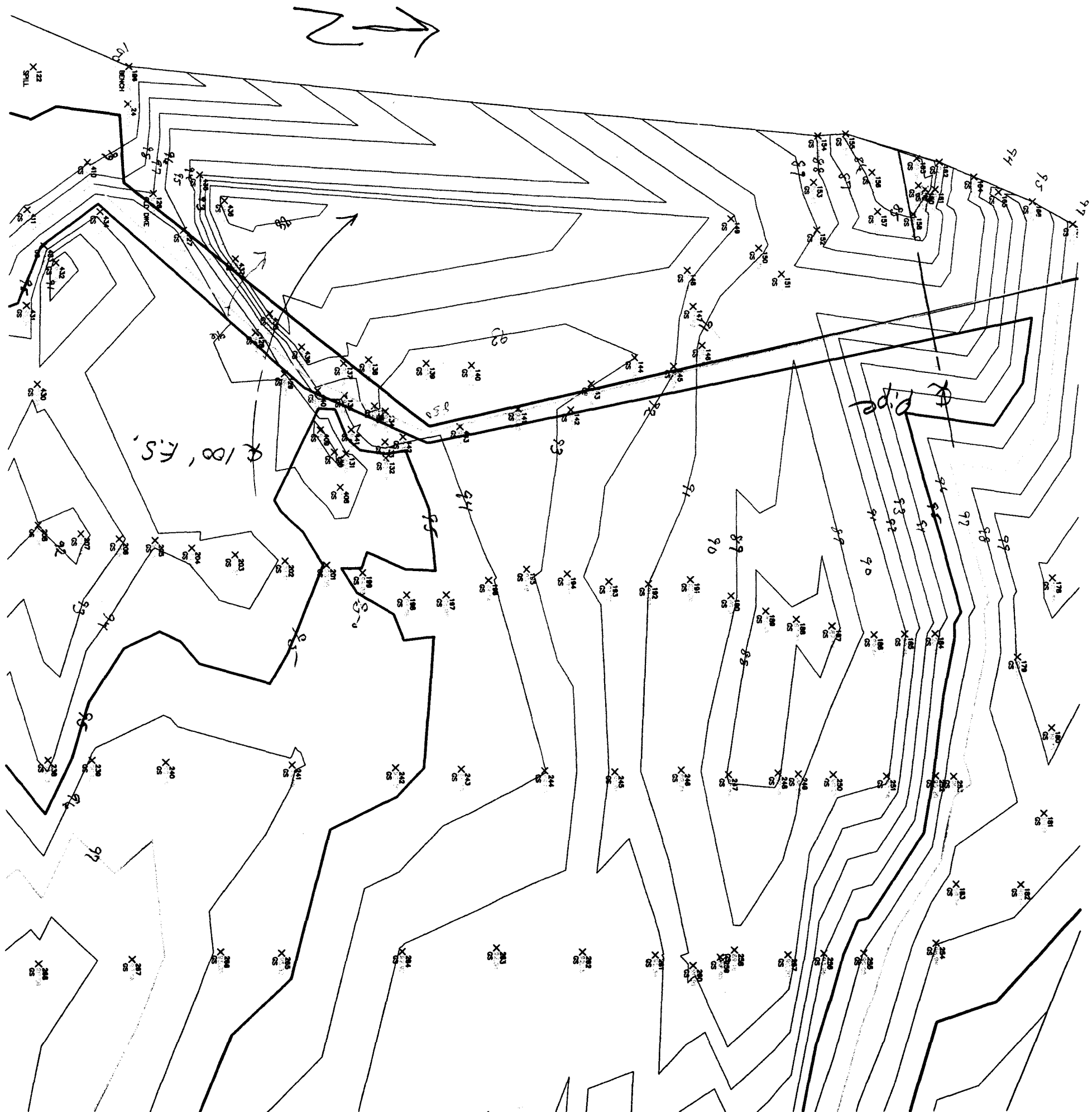
JOB PLAN NO. 1.0

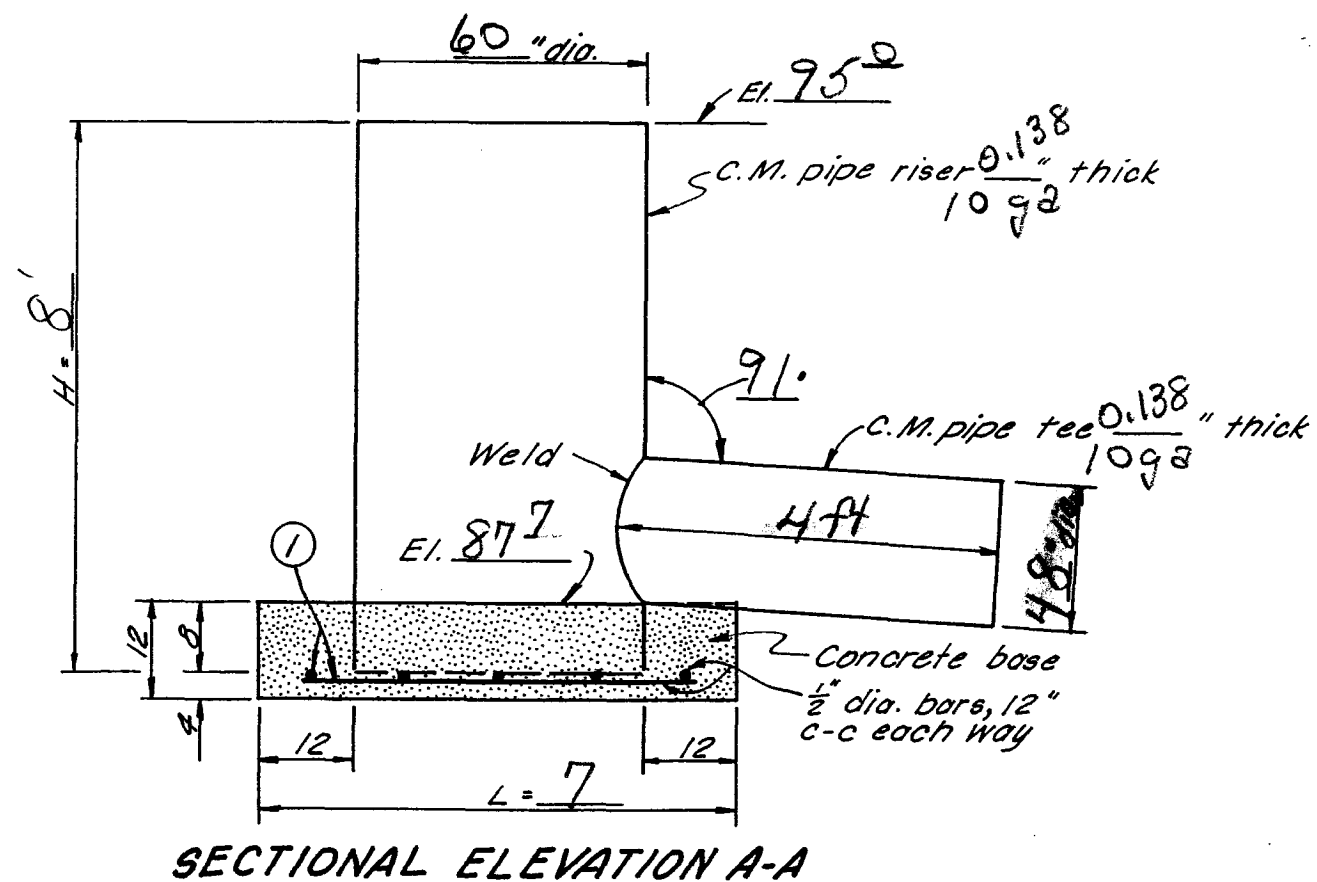
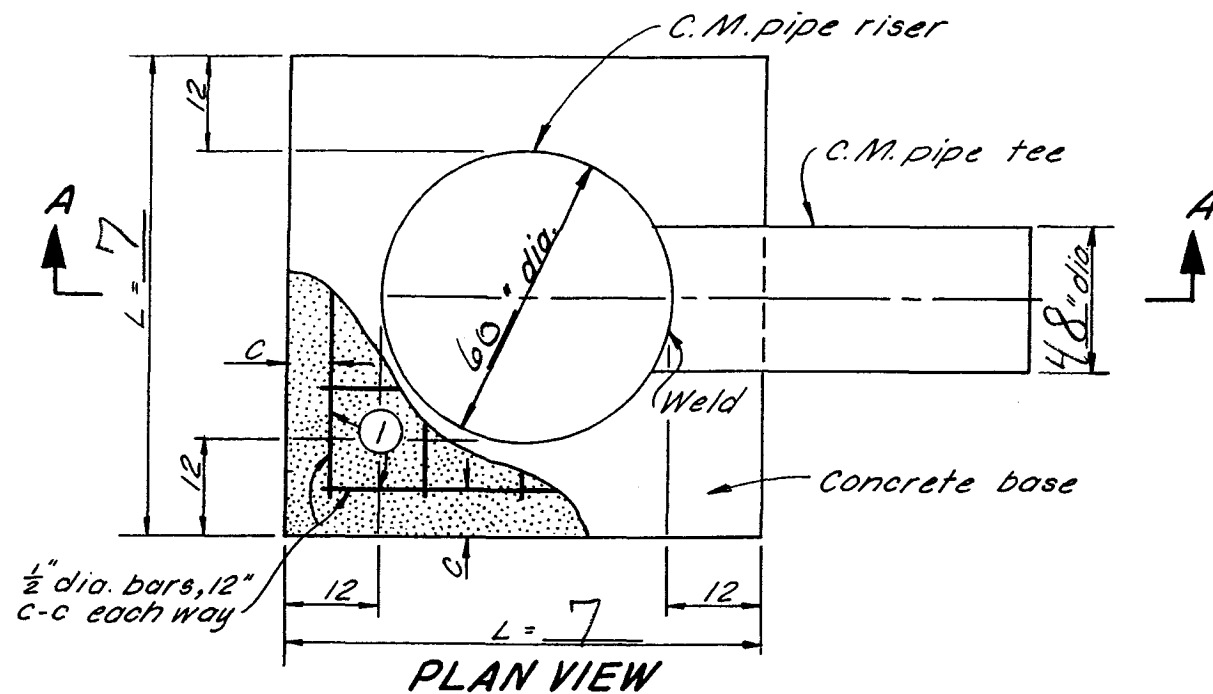
(Rev. 4-73) 5, N-29, 073.1a(1)

Jeff Gregg
Todd Co.
1" = 200'



Jeff Green
1" = 100'





STEEL SCHEDULE

RISER DIA. IN.	BAR SIZE	MARK	TYPE	NO. REQ'D.	LENGTH FT.-IN.	TOTAL LENGTH FT.-IN.	TOTAL WT. LB.	C IN.	L FT.-IN.
60	4	I	STR.	14	6-6	91-0	61	6	7-0

TABLE OF QUANTITIES

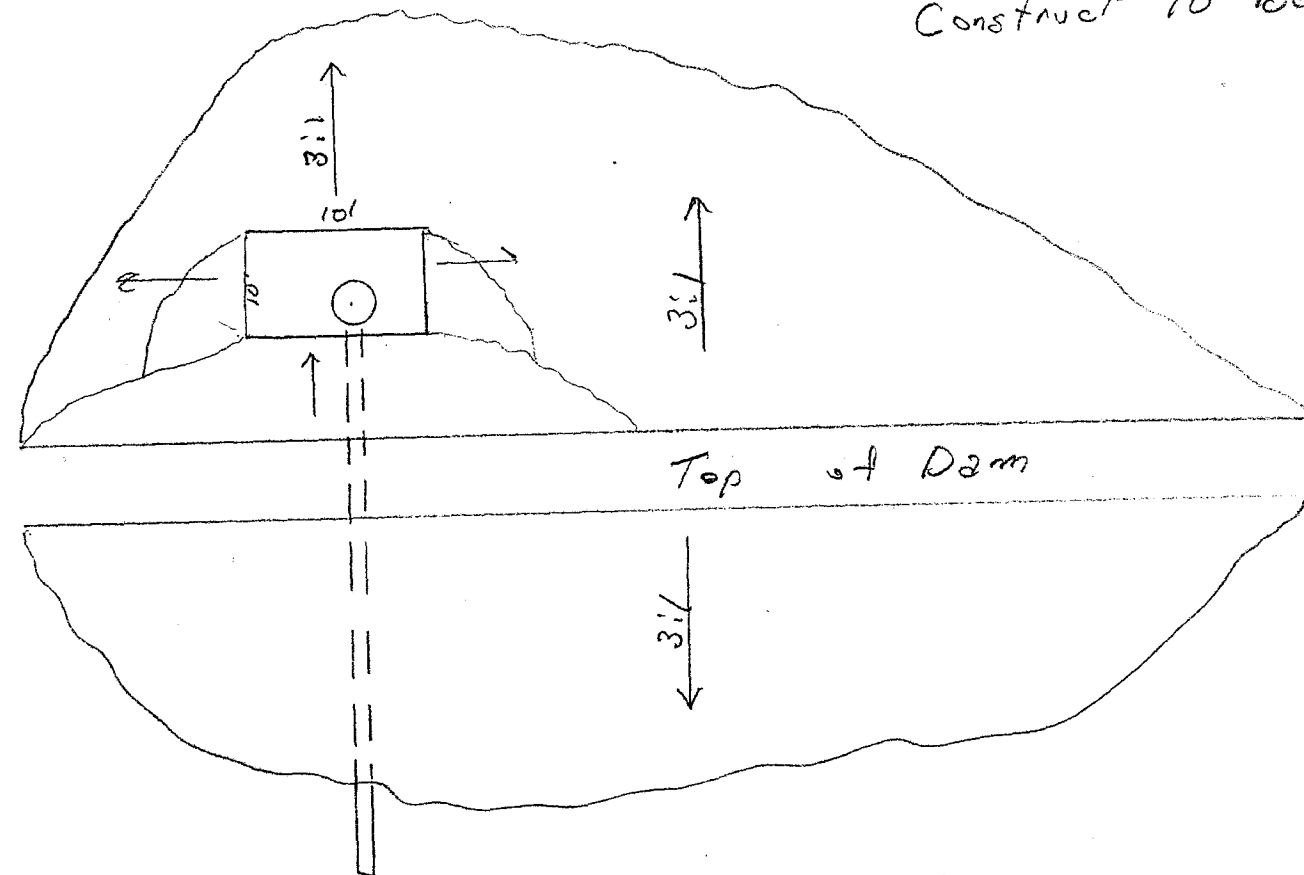
ITEM	UNIT	QUANTITY
CONCRETE	CU. YD.	1.9
REINFORCING STEEL	LB.	61

NOTE:

C.M. PIPE RISER WITH FABRICATED TEE

OPERATOR: <u>Jeff Gregg</u>	
CONSERVATION DISTRICT: _____	
Date _____	Approved by _____
Designed _____	Title _____
Drawn _____	Title _____
Traced _____	Sheet _____ Drawing No. _____
Checked _____	No _____ of _____

Construct 10' Berm at Riser



PLAN VIEW

Jeff Gregg

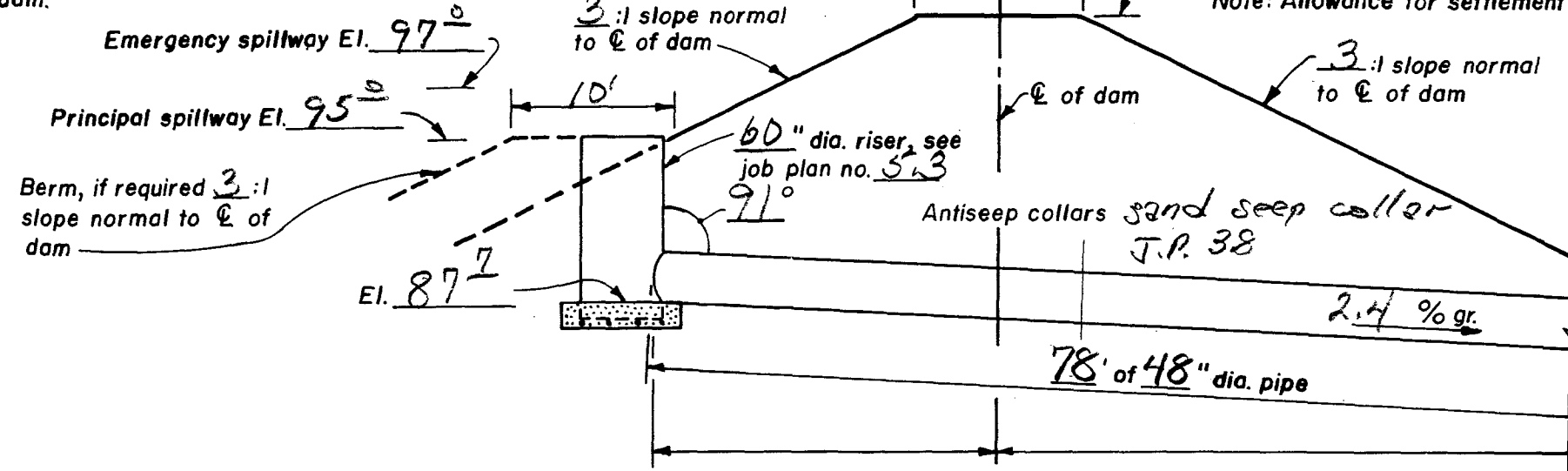
DK-1

Locate principal spillway pipe as directed by Technician at $\angle$ of dam station or an angle of 9° to the $\angle$ of the dam.

Trash rack and baffle plate not shown. See job plan no. 6.4

Top of dam after settlement El. 100.0

Note: Allowance for settlement 5%



CROSS SECTION OF DAM ALONG $\angle$ OF PRINCIPAL SPILLWAY
(Not to scale)

SPECIFICATION NOTES

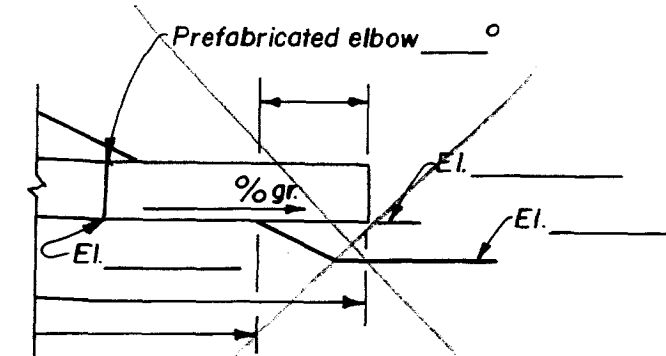
1. ELBOW, IF REQUIRED, MAY BE FABRICATED BY CONTINUOUS WELDING SEPARATE PIPE SECTIONS OR BY FABRICATING A CONTINUOUS WELDED JOINT ON THE UPSTREAM END OF LAST SECTION OF PIPE.
2. PIPE WALL THICKNESS SHALL BE _____ GAGE OR _____ INCHES.

All CMP To be vinyl
clad spiral
Lifting Lugs may be
specified by contractor
for ease in handling

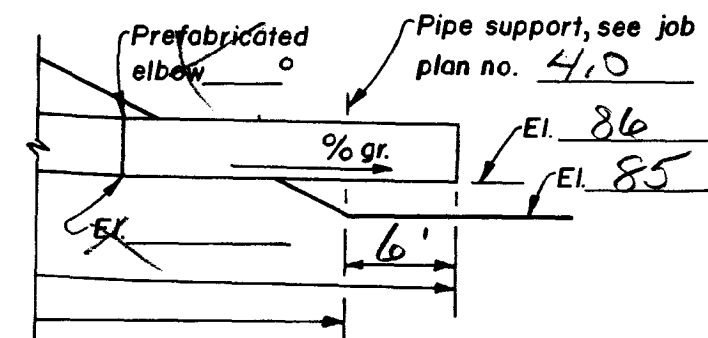
TABLE OF QUANTITIES

ITEM	UNIT	QUANTITY

APPLICABLE STANDARD S.C.S. SPECIFICATIONS



OUTLET DETAIL WITHOUT
PIPE SUPPORT



OUTLET DETAIL WITH
PIPE SUPPORT

Sec. _____, T. _____, R. _____
County _____

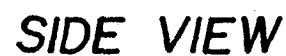
LOCATION

CORRUGATED METAL PIPE DROP INLET PRINCIPAL SPILLWAY

OPERATOR <u>Jeff Gregg</u>	
CONSERVATION DISTRICT _____	
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Designed _____	Approved by _____
Drawn _____	Title _____
Traced _____	Title _____
Checked _____	Sheet _____
	Drawing No. _____



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



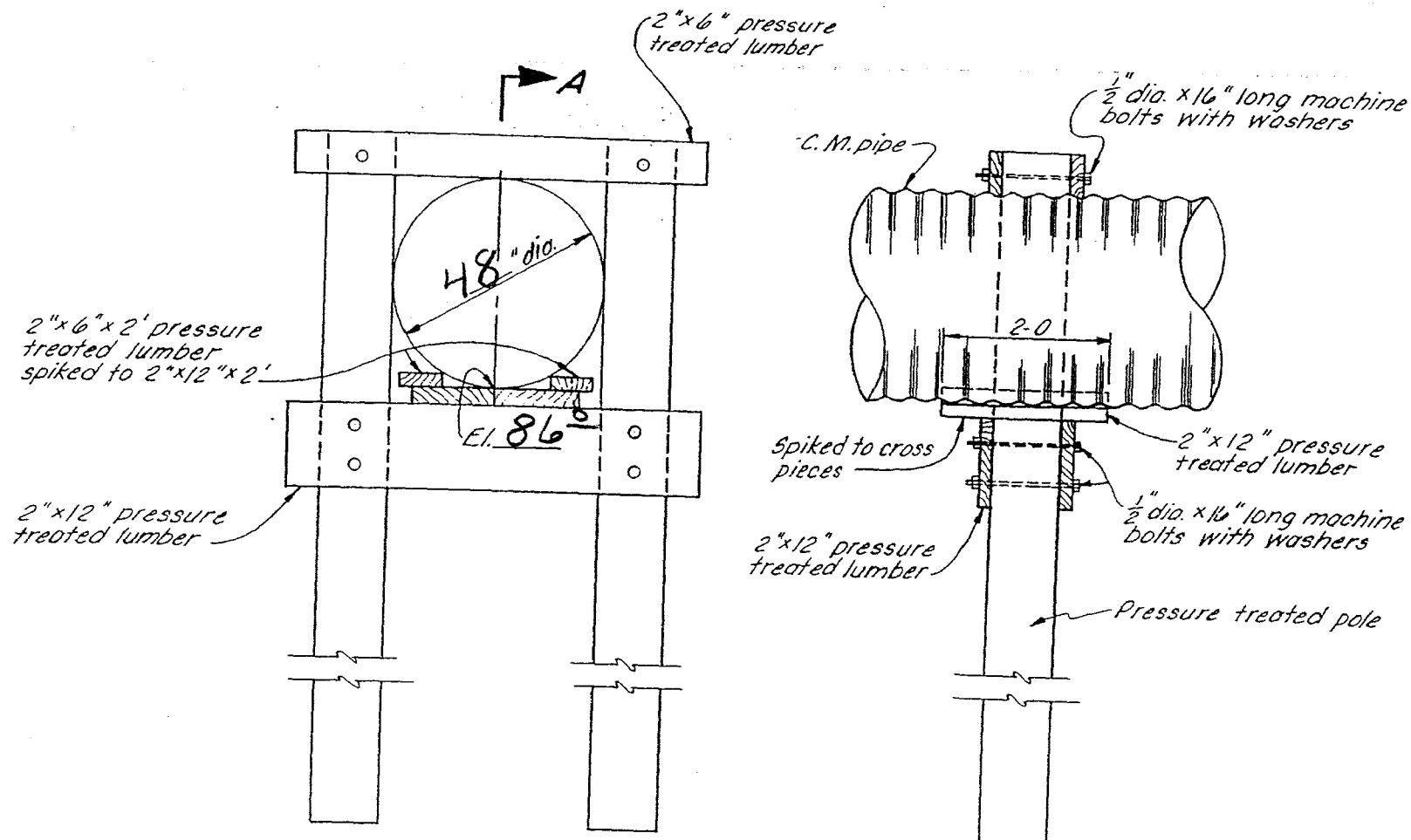
Sec. _____, T. _____, R. _____
 _____ County
LOCATION

SAND ANTISEEP COLLAR

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

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

JOB PLAN NO. 3.8



ELEVATION

SECTIONAL ELEVATION A-A

TABLE OF QUANTITIES

ITEM	LENGTH FOR 48" DIA. C.M. PIPE	UNIT	QUANTITY
PRESSURE TREATED POLE 10" DIA.	12-0	EACH	2
2" X 12" PRESSURE TREATED LUMBER	6-0	EACH	2
2" X 6" PRESSURE TREATED LUMBER	6-0	EACH	2
2" X 12" PRESSURE TREATED LUMBER	2-0	EACH	3
2" X 6" PRESSURE TREATED LUMBER	2-0	EACH	2
1/2" DIA. MACHINE BOLTS WITH NUTS	1-4	EACH	10
1/2" DIA. WASHERS		EACH	20

REFERENCE: GUIDE PLAN NO. 4.0

NOTES:

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

TIMBER PIPE SUPPORT

OPERATOR: Jeff Gregg

CONSERVATION DISTRICT: _____

Designed _____ Date _____ Approved by _____

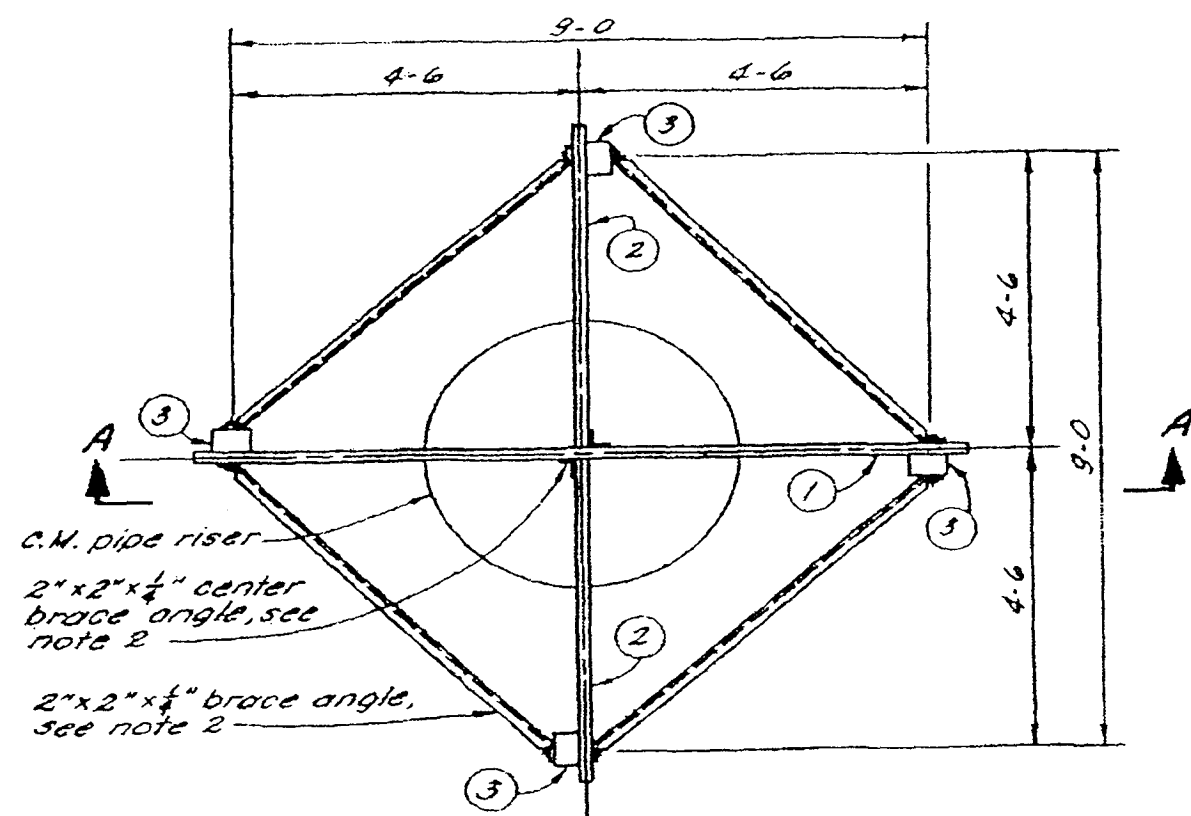
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Traced _____ Title _____

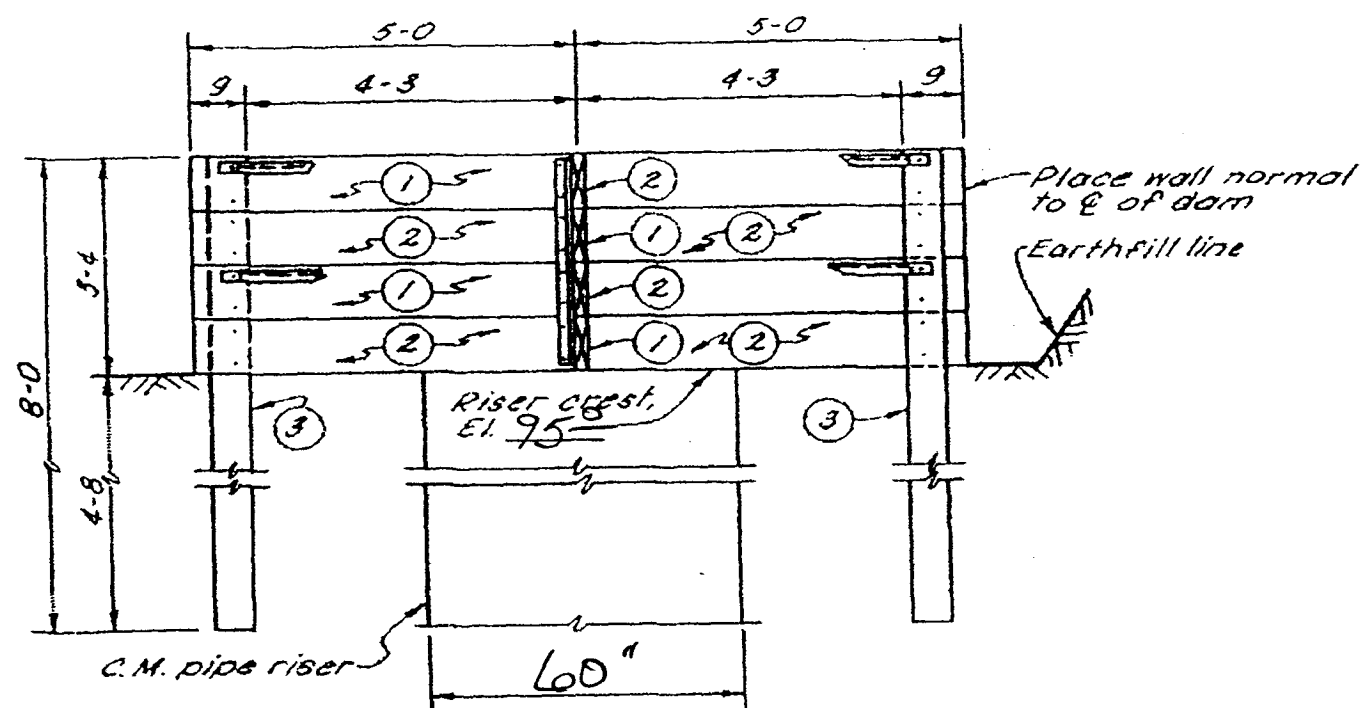
Checked _____ Sheet _____ Drawing No. _____

of _____

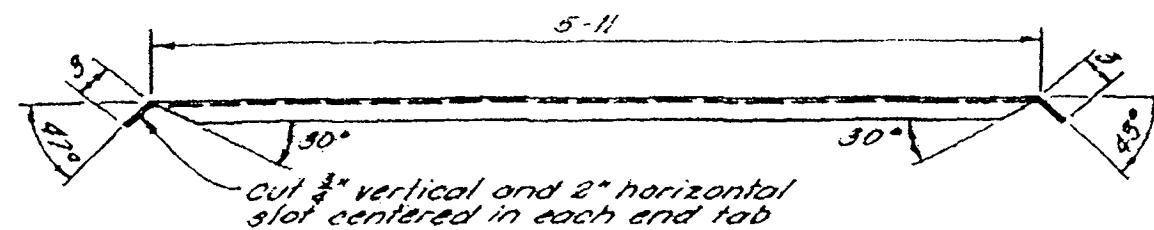
JOB PLAN NO. 4.0



PLAN VIEW



SECTIONAL ELEVATION A-A



PLAN VIEW OF BRACE ANGLE

TABLE OF QUANTITIES

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

NOTES:

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

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

OPERATOR: Jeff Gregg

CONSERVATION DISTRICT: _____

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed _____	Date _____	Approved by _____
Drawn _____		Title _____
Traced _____		Title _____
Checked _____		Sheet _____ of _____

JOB PLAN NO. 6.4

5, N-29, 073.6-40

Water Permit Application No. 2683-2
Jeffery J. Gregg

Top of Dam Elev. - 100
2nd Spillway Elev. - 97
P. Spillway Elev. - 95
Dis Emb. Toe Elev. - 85

Cat. 3 - Low Hazard Dam

Ht. = 15 ft.

Normal Storage Capacity = 60 Ac-Ft
Int. Storage Capacity = 90
Max. Storage Capacity = 208

Int Capacity x Eff. Ht. = $90 \times 11 = 990 < 3000 \therefore 25$ year
Minimum Spillway Design

From USGS WRI 98-4055 "Tech for Est Peak Flows ... in 50"
Region C DA = 2074 Ac = 324 mi²

$$\begin{aligned} Q_{15} &= 207 CA^{.573} \\ &= 207 (3.24)^{.573} \\ &= 207 (1.9613) \\ &= \underline{406 \text{ cfs}} \end{aligned}$$

$$\begin{aligned} Q_{100} &= 379 CA^{.566} \\ &= 379 (3.24)^{.566} \\ &= 379 (1.9452) \\ &= \underline{737 \text{ cfs}} \end{aligned}$$

Secondary Spillway Flow

$$\begin{aligned} Q &= CLH^{3/2} \quad C=2.6 \\ &= (2.6)(100)(3)^{1.5} \quad L=100 \\ &= \underline{1350 \text{ cfs}} \quad H=3 \end{aligned}$$

NRCs Annual Y=16

$$DA = 2074 \text{ Ac} \quad CN=75 \quad ISO=242$$

Section 74:02:08:09

1. Topo Map - OK
2. Dam Axis Prol. - OK
3. Dam Max. V. Sec. - OK
4. Area Capacity - OK
5. Outlet Details - OK
6. Spillway Rating - OK
7. Spillway Outlets - OK
8. Spec. for NRCs - OK
9. EPP - N/A Cat. 3 - OK

$$\begin{aligned} 80\% \text{ chance} &= 0.17 \\ 0.17 \times 2074 \text{ Ac} &= \underline{30 \text{ Ac-Ft.}} \end{aligned}$$

$$\begin{aligned} 50\% \text{ chance} &= 0.45 \\ 0.45 \times 2074 \text{ Ac} &= \underline{78 \text{ Ac-Ft.}} \end{aligned}$$

$$\begin{aligned} 10\% \text{ chance} &= 2.2 \\ 2.2 \times 2074 \text{ Ac} &= \underline{380 \text{ Ac-Ft.}} \end{aligned}$$



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2683-2, Jeffrey J Gregg**

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. 2683-2, Jeffrey J Gregg, 29272 US Hwy 18, Carter SD 57580..

The Chief Engineer is recommending APPROVAL of Application No. 2683-2 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. 2683-2 authorizes an impoundment with a storage capacity of 60 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
June 4, 2012

REPORT ON
WATER PERMIT APPLICATION No. 2683-2
Jeffery J. Gregg
May 31, 2012

Water Permit Application No. 2683-2 has been filed by Jeffery J. Gregg to impound 60 acre-feet of water from runoff by reconstructing an existing dam located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3-T39N-R25W, in Todd County. The application also requests impoundment of sufficient water to maintain water to the outlet elevation. The water will be used for fish and wildlife production, recreational use and livestock water purposes.

Discussion:

The dam will be classified as a small size, Category 3, Low Hazard dam. The dam has been designed by Konechne Engineering. The plans and specifications have been reviewed and will be approved; however, reconstruction of the dam can not begin until Water Permit Application No. 2683-2 is approved.

The dam will be 15 feet high with a normal storage capacity of 60 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 208 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 2074 acres or 3.24 square miles. The dam is designed to have a 60 inch diameter CMP riser with a 48 inch diameter CMP barrel and 5.0 feet of freeboard as the primary spillway, and a 100 foot wide earthcut secondary spillway with 3 feet of freeboard. A 25 year frequency event produces a peak runoff of approximately 406 cfs and a 100 year frequency event produces a peak runoff of approximately 737 cfs. The earthcut spillway will have a capacity of approximately 1350 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 30 acre-feet. The annual yield with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be 78 acre-feet and the annual yield with a 10 percent chance, or 1 out of 10 years, is expected to be 380 acre-feet.

The Gregg Dam No. 2 will be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3-T39N-R25W on an unnamed tributary to White Horse Creek, about a mile upstream of the confluence of the unnamed tributary and White Horse Creek. Location Notice No. 6239-2 was filed in 1952 by Evelyn Big Tail for 3 ac-ft of storage in a small dam located about three-fourths of a mile downstream of the proposed Gregg Dam No. 2. This Dam is located on Tribal land and has been in a state of disrepair for a number of years. Water Right No. 2636-2 was issued in 2008 to Jeffery Gregg for Gregg Dam No. 1, which has a storage capacity of 41 acre-feet and is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3-T39N-R25W, about one-half mile downstream of the proposed dam. There are no other existing Water Permits/Rights filed on the unnamed tributary between the proposed dam and White Horse Creek.

Conclusions:

1. Water Permit Application No. 2683-2 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 domestic use should be a qualification on Water Permit Application No. 2683-2.



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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 6, 2012

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

Jeffrey J Gregg
29272 US Hwy 18
Carter SD 57580

Dear Mr. Gregg:

Water Permit Application No. 2683-2 for fish and wildlife propagation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Todd County Tribune printed at Mission SD (Ph # 605 856-4469). 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 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 applications.

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

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

June 6, 2012.

Todd Co. Tribune
PO Box 229
Mission SD 57555

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2683-2 to Appropriate Water to be published twice. Please publish the first notice on June 13, 2012 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.

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 Jeffrey J Gregg, 29272 US Hwy 18, Carter SD 57580 (Ph # 605 856-4469).

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. 2683-2

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

Date _____

We are in receipt of your letter of June 6, 2012 enclosing Notice to Appropriate Water by Application No. 2683-2 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper - Publish first Notice on June 13, 2012 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 2683-2 to Appropriate Water

Notice is given that Jeffrey J Gregg, 29272 US Hwy 18, Carter SD 57580 has filed an application for a water permit to impound 60 acre-feet of water from runoff by repairing an existing dam located in the NE 1/4 SW 1/4 Section 3 with water impounded in the E 1/2 SW 1/4, SE 1/4 NW 1/4 and NW 1/4 SE 1/4 Section 3; all in T39N-R25W. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation, recreational use and livestock water purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2683-2 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 this 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 this 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 July 2, 2012.

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.

Published twice at the total approximate cost of_____.

Water Rights Program - File Documentation

NAME: Jill – Todd County Tribune

ADDRESS: Martin SD

DATE: 6-13-12

RE: Gregg publication

COMMENTS:

Jill with the Todd County Tribune stated she is in the Martin office and just received this notice today for the Mission office. Therefore, it did not get published today.

I emailed her the notice which will now be published on June 20 & 27 with petition date of July 9, 2012.



Karen Schlaak
Environmental Scientist

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Published twice at the total approximate cost of _____.

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Published twice at the total approximate cost of _____.

DENR

Affidavit of Publication

State of South Dakota

County of Todd

RECEIVED

JUL - 2 2012

WATER RIGHTS
PROGRAM

Jill Potter, being, first duly sworn, on oath, says: That he/she is an employee of Huether Brothers Publishing, Inc., and that the Todd County Tribune is, and during all the times hereinafter mentioned was, a weekly legal newspaper as defined in the SDCL 17-2-2.1 through the 17-2-2.4 inclusive; that said newspaper has been published within the said county of Todd and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for 2 successive week(s) to wit:

June 20, 2012

June 27, 2012

That the full amount of the fee charged for the publication of the attached public notice, **52.89**, insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Signed: Jill Potter

Subscribed and sworn to before me this 27th day of June, 2012.

Manuella Scherer
Notary Public

Legal Notices

Public Notice

The Rosebud Sioux Tribe Transportation Program intends to apply for funds under Section 5311 of the Surface Transportation Assistance Act for the continued operation of public transportation project in Todd County, South Dakota.

This notice offers the opportunity for a public hearing, submission of service proposals or comments regarding the project. Interested public or private transit or paratransit providers are invited to comment on this proposal or submit proposals to provide the service. Requests for a public hearing, comments or requests for a copy of the PTA 5311 Grant Proposal should be directed to: Leroy Sleeping Bear P.O. Box 430 Rosebud, South Dakota 57570 by July 11, 2012. Published three at the total approximate cost of \$28.48. Published: June 20, 27, and July 4, 2012.

Notice of Public Meeting Jackson County Driver's License Services

The Jackson County Commissioners are holding a public meeting at 8:00 p.m., Friday, June 29, 2012 in the Courtroom of the Jackson County Courthouse, 700 Main Street, Kadoka, SD. The purpose of the meeting is to obtain public input as to whether Jackson County should continue to provide driver's licensing services for the S. D. Department of Public Safety.

In 2004 Jackson County entered into an agreement with the S. D. Department of Public Safety to provide driver licensing services for the State of South Dakota.

At the time Jackson County entered into the agreement with the State, the State provided driver licensing services in surrounding communities. The State has reduced or eliminated the service provided in those communities. This has created a larger work load for the Jackson County officials providing the services, and the cost to Jackson County is greater than the \$5.00 per license and the cost to Jackson County retains for providing the service. Jackson County is considering hiring additional staff for the increased work load.

Citizens come from up to one hundred miles away to obtain their driver's licenses in Jackson County, and many chose to come to Jackson County instead of going to the state sites in other communities, Pierre or Rapid City.

Jackson County requested that Jackson County be allowed to retain one-half of the license fees. The state has denied the request. State law does not allow the county to charge an additional fee.

If additional funding is not found, the Jackson County Commissioners are considering discontinuing the driver licensing services.

For persons unable to attend this meeting, written comments may be sent to:

Jackson County Commission, P.O. Box 280, Kadoka, SD 57543
Published once at the total approximate cost of \$26.52
Published: June 20, 2012

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Published twice at the total approximate cost of \$52.89
Published: June 20 and 27, 2012

Proceedings

Todd County, South Dakota
June 6, 2012

The meeting of the Todd County Board of Commissioners was called to order by the Chairman in the Commissioner's Room in the County Building at Mission on June 6, 2012 at 10:06 A.M. Roll call showed Board members Gregg Grimeshaw, Dwight Logterman, William Giroux, Alice Whipple and Patry Valandra present. Also present was Auditor Kathleen Flakus.

Whipple made the motion, seconded by Logterman, that the minutes of the meeting held on May 16, 2012 be approved as read. Roll call: All ayes. Motion carried.

Whipple made the motion, seconded by Valandra, to reschedule the first meeting in July to Monday, July 2, 2012 due to the 4th of July holiday falling on the regular meeting date. Roll call: All ayes. Motion carried.

The Board canvassed the votes of the Primary election held on June 5, 2012. No discrepancies were found. Whipple made the motion, seconded by Logterman, to certify the election results. Roll call: All ayes. Motion carried.

The Board reviewed a contract for making payments on delinquent taxes. Robert Gough is owner of Lots 21-22-23, Block 2, Mission City. Mr. Gough agreed to pay \$50.00 per month. Total due is \$3,476.31. After discussion, Logterman made the motion, seconded by Valandra, to deny the contract because the terms of the contract could not be met paying only \$50.00 per month. Roll call: All ayes. Motion carried.

Applications for Alcoholic Beverage Licenses for 2012-2013 were presented as follows:

Prairie Hills Square, Inc. Retail (on-off sale) Malt Beverage
Turtle Creek Crossing Supercenter

Giroux made the motion, seconded by Logterman, that the applications be approved as presented.

Roll call: Ayes: Grimeshaw, Giroux and Whipple.
Nays: Logterman and Valandra. Motion carried.

The Auditor's Account with the Treasurer was presented for the approval of the Board as follows: To the Honorable Board of County Commissioners Todd County:

I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of this County as of May 31, 2012.

Fairboard \$7,967.75
Total amount of deposits in banks 1,875,542.55

Total amount of actual cash 1,392.31
Total amount of checks and drafts in treasurer's possession 784.15
Exceeding three days
Itemized list of all items, check and drafts which have been in the Treasurer's possession over three days:
Edward Wright 38.00
Susan White 72.70
Chaisty M. Buck 152.50
Corry Roberts 715.67
Postage, Freight, Exp. 180.00
TOTAL \$1,886,845.63

Dated this 5th day of June, 2012.
Annette Stiles, Deputy
County Auditor Todd Co.

Valandra made the motion, seconded by Whipple, that the Auditor's Account be approved as presented.

Roll call: All ayes. Motion carried.

The Board discussed utilizing direct deposit for payroll. The option would be more efficient. All employees would be required to provide the Auditor's office with the necessary information to implement direct deposit with the pay period ending June 26, 2012.

Giroux made the motion, seconded by Valandra, that direct deposit would be mandatory for all employees of Todd County effective June 26, 2012.

Roll call: All ayes. Motion carried.

Kara Walking, Emergency Management Director, came in to discuss Emergency Management issues. Ms. Walking informed the Board that she has a meeting in SLA Training in Sioux Falls mid-June. Ms. Walking has applied for a grant to cover costs. Todd County is now in Region 5. The total Homeland Security Grant Funds for Region 5 is \$137,303.00. Grant funds will now be competitive. She also reported on the handling of radios. There are no grant funds available for this project, so each department would pay for the changes.

Valandra made the motion, seconded by Logterman, that the claims be approved as follows:

MONTHLY PAYROLL COMMISSIONERS: \$3,500.00;
AUDITOR'S OFFICE: \$1,389.25; TREASURER'S OFFICE: \$1,329.25;
ASSESSOR'S OFFICE: \$1,187.25; REGISTER OF DEEDS OFFICE: \$1,157.25; VETERAN'S SERVICE: \$89.20; CUSTODIAN: \$231.50;
SHERIFF'S OFFICE: \$3,125.00; EMERGENCY MANAGEMENT: \$420.40; ROAD & BRIDGE: \$11,231.12;
VARIOUS DEDUCTIONS: FIRST FIDELITY BANK, MAY WITHHOLDING, SOCIAL SECURITY & MEDICARE, \$4,653.83;
AFAC: MAY INSURANCE: \$54.74

ROAD & BRIDGE DEDUCTIONS: NATIONWIDE RETIREMENT SOLUTION, DEFERRED COMPENSATION, \$117.64; OFFICE OF CHILD SUPPORT ENFORCEMENT \$338.00.

COMMISSIONERS: WILSON, GIRONOX, MILEAGE, \$25.16;
GOLDEN WEST TELECOMMUNICATIONS, PHONE SVC, \$50.31;
DOWHIT LOGTERMAN, MILEAGE, \$42.92; OFFICE PRODUCTS CENTER, \$33.00; TODD COUNTY TRIBUNE, PUBLISHING, \$155.62;

PATSY VALANDRA, MILEAGE, \$24.60; ALEC WHIPPLE, MILEAGE, \$39.96; ELECTION, PRIMARY ELECTION, BOARDS, MILEAGE, SCHOOL, RENTAL, \$6,628.41; PLAINS COMPUTER SOLUTIONS, LAPTOP/LABOR, \$975.40; ANNETTE STILES, MILEAGE, \$33.30;

TODD COUNTY TRIBUNE, LEGAL NOTICES, \$599.26; AUDITOR: KATHLEEN FLAKUS, MILEAGE, \$66.60; GOLDEN WEST TELECOMMUNICATIONS, PHONE/FAX SVC, \$118.94; TREASURER:

GOLDEN WEST TELECOMMUNICATIONS, PHONE SVC, \$87.77; STATE ATTORNEY ALVIN PAHKE, ATTORNEY FEES, \$1,013.95;

COUNTY BUILDING: CHERY TODD ELECTRIC, ENERGY, \$282.30; CITY OF MISSION, SEWER, \$25.00; NELSON ELECTRONIC TELEPHONE SYSTEM, \$120.13; ASSESSOR: GOLDEN WEST TELECOMMUNICATIONS, PHONE SVC, \$44.70; HOLIDAY INN CITY CENTRE S.F., LODGING, \$231.00; OFFICE PRODUCTS CENTER, SUPPLIES, \$140.95; RITA STEELE, MILEAGE, \$21.67;

REGISTER OF DEEDS: GOLDEN WEST TELECOMMUNICATIONS, PHONE SVC, \$51.87; VETERAN'S SERVICE: TERRY COUSINS, MILEAGE, \$66.60; GOLDEN WEST TELECOMMUNICATIONS, \$45.65; SHERIFF: GOLDEN WEST TELECOMMUNICATIONS, \$68.15;

GOLDEN WEST TELECOMMUNICATIONS, PHONE SVC, \$146.84; OFFICE PRODUCTS SVC, SUPPLIES, \$33.98; TODD COUNTY TREASURER, POSTAGE, \$160.00; WESTERN COMMUNICATIONS, REPAIRS ON RADIOS, \$13,635.00; JAIL: HUGHES COUNTY FINANCE OFFICE, JUVENILE CARE, \$1,200.00; WINNER HEALTH MART PHARMACY, MEDS, \$60.05; DEVELOPMENTALLY DISABLED: STATE TREASURER, MAY CARE, \$180.00; MENTAL HEALTH: S.P. BEHAVIORAL HEALTH SERVICES, ALLOCATION, \$4,000.00; PAIRGROUND: CHERY TODD ELECTRIC, ENERGY, \$75.58; PAULINE LANZ, CUSTODIAN, \$200.00; EXTENSION:

GOLDEN WEST TELECOMMUNICATIONS, PHONE SVC & DSL, \$196.10; OFFICE PRODUCTS CENTER, SUPPLIES, \$28.50; ROAD & BRIDGE: AT&T MOBILITY, CELL PHONE SVC, \$109.01; DAVIS:

ARNOLD, GRAVEL CRUSHING, \$5,490.00; ASSMAN IMPLEMET, SUPPLIES, \$18.51; AVERA QUEEN OF PEACE, DRUG TESTING, \$96.90; COUNTRY PRIDE GOLF, FUEL/SUPPLIES, \$9,470.97;

CHERY TODD ELECTRIC, ENERGY, \$194.12; CITY OF MISSION, SEWER, \$25.00; GOLDEN WEST TELECOMMUNICATIONS, PHONE SVC, \$169.42; J.D.A.S. INC, SUPPLIES, \$590.00; MATHESON TRI-GAS INC, SUPPLIES, \$47.50; RODNEY PAULSON, GRAVEL ROYALTY, \$900.00; RDO EQUIPMENT, REPAIRS, \$312.50; J.L.J.:

GOLDEN WEST TELECOMMUNICATIONS, PHONE SVC, \$21.30; EMERGENCY MANAGEMENT: KARA WALKING, HLS MEETING EXPENSES, \$107.86.

Roll call: All ayes. Motion carried.

Whipple made the motion, seconded by Valandra, to deny the following claims: Avera McKennan Hospital, \$980.00; Pennington County State's Attorney, \$200.00; and Pennington County Public Defender, \$123.00, because the patients should be covered by IHS.

Roll call: All ayes. Motion carried.

At 11:30 A.M. Giroux made the motion to adjourn until June 20, 2012, seconded by Whipple.

Roll call: All ayes. Meeting adjourned.

Chairman, Gregg Grimeshaw

ATTEST:
County Auditor
Published once at the total approximate cost of \$99.20
Published: June 20, 2012

Proceedings

MINUTES
MARCH 28, 2012
REGULAR MEETING

Board Chairman David Brushbreaker called the regular meeting of the Board to order at 6:20 p.m., Wednesday, March 28, 2012, in the Cray Horse Administration Building at St. Francis Indian School, St. Francis, SD. Executive Assistant called the roll. Charles LaPointe gave the invocation. A quorum was present.

Members present: Sandra Black Bear, Lionel Bordeaux, David Brushbreaker, Brian Dillon, Charlene LaPointe, Donald Leader Charge, Sr., Jesse Pease, Richard Bad Milk/Acting Superintendent (ex-officio), Marlene Short Bull (ex-officio), Excused: John Swift. Others present for all or part of meeting: Barry Mann, Chery Bordeaux, Danielle Walking Eagle, Nona Marshall, Chylene Curry, Geri Bad Hand, Roberta Quigley, Ray Sigala, Ida Marshall, Lori Spotted Elk, Totes Wain, Rena Leader Charge, George Scott, Donna Hollow Horn Bear, Chauncey Black Spotted Horse, Brad Bartling, Janet Roberts.

Madonna Crow Eagle, Mark Brown, Meredith Kills In Water, Theresa Leder Charge, Janet McKinney, Phyllis Williams, Carole Gregg, Sandra Spotted Tail, Joseph Marino, Lawrence Two Eagle, Jesse Crow Eagle, Leroy Harry Shirt, Chris Bordeaux, Deb Bordeaux, Ryan Holy Eagle, Lorraine Young, Dana Marshall, Kerita Ross, David Murray, Velda Crow Eagle, Dana Marshall, Kerita Ross, David Murray.

In addition to the agenda: Board Member Sandra Black Bear/Request Items in Executive Session.

Deletions to the agenda: None.

It was moved by Charlene LaPointe and seconded by Sandra Black Bear to approve the agenda. The motion carried by show of hands.

All present voted "yes." 7-0-0-1-0

Public Address: Roberta Quigley commented on the Teach For America staff and requested that they be provided with cultural awareness before they begin teaching at SFIS, etc.

Sandra Spotted Tail requested a mail order donation for two students attending the People to People Ambassador Programs.

FACE Home Educator Dolores "Totes" Wain gave presentation on the FACE Program and introduced Janet McKinney who is the FACE

National Parent Essay Award Recipient. Miss McKinney read her Essay.

It was moved by Lionel Bordeaux and seconded by Sandra Black Bear to recognize and honor the St. Francis Indian School FACE Program and Staff: Dana Marshall, Danielle Powell, Dolores "Totes" Wain, Karita Ross, Bridget Swift Hawk, and the National Parent Essay Recipient Miss Janet McKinney and her two children, Alexander and Darrian McKinney. The motion carried by show of hands. 7-0-0-1-0

It was moved by Lionel Bordeaux and seconded by Brian Dillon to request that the Administration and the FACE Staff begin to look at the development of a daycare service center for the FACE Program. The motion carried by show of hands. 7-0-0-1-0

It was moved by Charlene LaPointe and seconded by Charlene LaPointe to request that the Administration and the FACE Staff explore the prospects of a daycare center for non-Face young mothers who are going to school here or would like to go to school here at St. Francis Indian School but need daycare services. The motion carried by show of hands. 7-0-0-1-0

Chairman Brushbreaker stated, "On behalf of the Board, I commend the FACE Program and Miss McKinney and all the staff for their good work; it's good to hear and see something positive come to the Board, a lot of times it's always negative and we really get down, it's good to see positive stuff come out of St. Francis Indian School, again, commend the FACE Program, parents, young parents, for the good job they are doing."

It was moved by Charlene LaPointe and seconded by Brian Dillon to approve the following minutes (see 1, 2, 3). The motion carried by show of hands. 7-0-0-1-0

1) Regular Board Minutes of March 14, 2012, as read;

2) Adjourned Board Minutes of March 15, 2012, as read;

3) Special Board Minutes of March 15, 2012, as read.

Acting Superintendent Richard Bad Milk's Report covered: Construction Payments; SDHSA Coaching Requirements; School Calendar; Surplus Property; Annual Report/ RST; Special Board Personnel; Report by Chris Bordeaux and Phyllis Williams on the 61-11 Grant Submittal (Alternative Definition of Adequate Yearly Progress (AYP) Oral Language Proficiency Assessment) (on file)

It was moved by Lionel Bordeaux and seconded by Brian Dillon to accept the Written Reports as submitted. The motion carried by show of hands. 7-0-0-1-0

It was moved by Brian Dillon and seconded by Charlene LaPointe to authorize a payment to PCL Construction Services, Inc., in the amount \$7,961.50, as detailed by invoice 9222-3 (03/21/2012) for Basic Design Services. Source will be Architectural & Engineering Design line item of the SFIS Bus Barn and Maintenance Building funds. The motion carried by show of hands. 7-0-0-1-0

It was moved by Brian Dillon and seconded by Sandra Black Bear to accept PCL's Finalized Guaranteed Maximum Price for design-build services on the SFIS Facilities Maintenance and Bus Storage/ Maintenance Building in the amount of \$1,267,747.00 (AIA 0710 Change Order No. 1). The motion carried by show of hands. 7-0-0-1-0

It was moved by Brian Dillon and seconded by Lionel Bordeaux to approve inserting the SDHSA coaching requirements for the 2012-2013 school year into the School Policies and Procedures, Part VI, Chapter 10, Section 2 - Supplemental Contracts, add as the third paragraph (see below). The motion carried by show of hands. 7-0-0-1-0

All coaches, head and assistant, shall successfully complete the following:

1. Fundamentals of Coaching.
2. Sports First Aid.

3. Concussion in sports-What You Need to Know.

*Thirty coaches would no longer be considered an equivalent to the (fundamental) course. The fundamentals course must be a general coaching fundamentals course or coaching philosophy course.

*The first aid course would only be "good" for three years and would have to be renewed at the end of the three year period. The first aid course that coaches currently have would be good for the next three school years, 2012-2013, 2013-2014, 2014-2015. All coaches, grades 9-12, would have to renew their first aid course prior to the start of the 2015-2016 school year.

4. No change the concussion course would have to be completed every year as per SDCL.

All three courses, Fundamentals of Coaching \$40.00; Sports First Aid \$45.00, and Concussion in Sports-What You Need to Know- Free. Teachers would no longer be available on the NFHS website on www.nfhs.com.

It was moved by Lionel Bordeaux and seconded by Donald Leader Charge, Sr., to approve the designation of Televisions as Surplus Property (list on file). The motion carried by show of hands. 7-0-0-1-0

It was moved by Charlene LaPointe and seconded by Donald Leader Charge, Sr., to approve scheduling a Special Board meeting for April 4, 2012, at 6:00 p.m., to review Administrator, Instructional Director and Professional Contract Renewals or Non-Renewals for year 2012-2013 in Executive Session, Action on Contract Renewals or Non-Renewals. The motion carried by show of hands. 7-0-0-1-0

It was moved by Lionel Bordeaux and seconded by Charlene LaPointe to approve the submittal of the 61-11 Grant. The motion carried by show of hands. 7-0-0-1-0

Public Addresses were heard.

It was moved by Brian Dillon and seconded by Donald Leader Charge, Sr., to approve going into Executive Session at 8:32 p.m., to discuss personnel matters. The Acting Superintendent remained.

The motion carried by show of hands. All present voted "yes" except Black Bear who was temporarily excused from the room. 6-0-0-2-0

Board Members Jesse Pease and Charlene LaPointe were excused at 8:34 p.m. and 8:46 p.m., respectively.

Chairman Brushbreaker declared the meeting out of Executive Session at 10:22 p.m., and reconvened the meeting.

*Voting privilege limited according to the By-Laws, Article IV, Section B.

It was moved by Brian Dillon and seconded by Sandra Black Bear to adjourn. The motion carried unanimously.

The meeting ended at 10:24 p.m.

Marlene R. Short Bull
Executive Assistant

Approved, April 25, 2012
David Brushbreaker
President
Published once at the total approximate cost of \$99.20
Published: June 20, 2012

Proceedings

MINUTES
APRIL 4, 2012
SPECIAL MEETING

Board Chairman David Brushbreaker called the special meeting of the Board to order at 6:28 p.m., Wednesday, April 4, 2012, in the Cray Horse Administration Building at St. Francis Indian School, St. Francis, SD. Executive Assistant called the roll. Sandra Black Bear gave the invocation. A quorum was present.

Members present: Sandra Black Bear, Lionel Bordeaux, David Brushbreaker, Brian Dillon, Charlene LaPointe, Donald Leader Charge, Sr., Jesse Pease, John Swift, Richard Bad Milk/Acting Superintendent (ex-officio), Marlene Short Bull (ex-officio).

Others present (for all or part of meeting): Karen Fox, Barry Mann, Danielle Walking Eagle, Joseph Marino, Brad Bartling, George Scott, Ryan Holy Eagle, James Roether, Chantelle LaPointe, Velda Crow Eagle, Carole Gregg.

The Special Meeting was called for the following: Review Administrator, Instructional Director and Professional Contract Renewals or Non-Renewals for year 2012-2013 in Executive Session; and Action on: Contract Renewals or Non-Renewals.

It was moved by Brian Dillon and seconded by Lionel Bordeaux to accept the supplemental assignment resignation of Maria Proust/Head Coach (7-8). The motion carried by show of hands. 7-0-0-0-0

It was moved by Sandra Black Bear and seconded by Donald Leader Charge, Sr., to approve going into Executive Session at 6:29 p.m. to discuss personnel matters. The Acting Superintendent remained. The motion carried by show of hands. All present voted



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 6, 2012

Capital Journal
PO Box 878
Pierre SD 57501

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2683-2 to Appropriate Water to be published twice. Please publish the first notice on June 13, 2012 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 Water Rights Program for the cost of publication.

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 second publication, please send bill and affidavit to the Water Rights Program.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 2683-2

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

Date _____

We are in receipt of your letter of June 6, 2012 enclosing Notice to Appropriate Water by Application No. 2683-2 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

RECEIVED

JUN 27 2012

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Hughes) SS

I, Marylinn Baker

certify that the attached printed Notice was
taken

from the Capital Journal

printed and published in Pierre

County of Hughes and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

June 13, 2012

June 20, 2012

Cost of Printing \$54.98

Marylinn Baker
(Signature)

Bookkeeping
(Title)

6-25-12
(Date Signed)

D

WWW.CAPJO

Public Notice

NOTICE OF APPLICATION NO. 2683-2 to Appropriate Water

Notice is given that Jeffrey J. Gregg, 29272 US Hwy 18, Carter SD 57580 has filed an application for a water permit to impound 60 acre-feet of water from runoff by pairing an existing dam located in the NE 1/4 SW 1/4 Section 3 with water impounded in the E 1/2 SW 1/4 SE 1/4 NW 1/4 and NW 1/4 SE 1/4 Section 3; all in T39N-R25W. This application requests impoundment of sufficient signature and water to maintain the outlet the petitioner or elevation. The water is for fish and wildlife propagation, recreational use and livestock purposes. Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of this application because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of the water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this 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 this 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 may be filed by July 2, 2012. The petitioner's reasons for opposing or supporting the application, the petitioner's 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. Published twice at the total approximate cost of \$54.98.

3 DCL

46-2A-23, the

Chief Engineer will

act on this 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

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Water Management

Board will

consider this

application. Notice of

the hearing will be

given to the

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person filing a

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Any person

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application or

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must file a

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petition with

BOTH the

applicant and

Chief Engineer.

The applicant

must file a

petition if

contesting

the Chief

Engineer's

Capital Journal

P.O. Box 878 • Pierre, SD 57501

LEGAL INVOICE PO

SNAXLP#: 12154

Notice: Notice of application

Publications: 2683-2

Lines: 149 Tab: 6-20

Rate: 369 PO#: 54.98

Amount Due: 54.98

BILL TO:

Dept of Environment & Natural Resources

Water Rights Program

523 E Capitol Ave

Pierre, SD 57501

RECEIVED

JUN 27 2012

WATER RIGHTS
PROGRAM

June 27, 2012

PAYMENT REQUEST FORM

PAYEE: Capital Journal
PO Box 878
Pierre SD 57501

FROM: DENR Water Rights Program
523 E. Capitol Ave
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Public Notice for 2683-2 (Gregg)

AMOUNT: \$54.98

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Gail Jacobson 6/27/12

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.

Water Rights Program - File Documentation

The 2012 Legislature made changes to the publication process for water permit applications. During the transition period, prior to July 1, 2012, applications are being public noticed for two consecutive weeks in both a weekly and daily paper. Where the daily paper is not in the county of the application, the Water Rights Program pays the cost of the daily paper publication.

Karen Schlaak
Program Assistant



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 07 2012

Jeffrey J Gregg
29272 US Hwy 18
Carter SD 57580

Dear Mr. Gregg:

Enclosed is Water Permit No. 2683-2 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