

VESTED WATER PERMIT NO. 2798-2

Name of Applicant: Town of Belvidere

Address: PO Box 189, Belvidere SD 57521

Phone: 605 344-1212

Amount of Water Claimed: 240 acre-feet storage

Total Acres: NA

Source of Water Supply: runoff and Brave Bull Creek

Water to be used for: recreation, fish & wildlife, municipal

County: Jackson

Type of Waste Disposal System:

Location: north edge of Belvidere

PRIORITY

Date Received: 4-15-19

Application/License Fee: \$ 50.00

Corrected Application Received:

Period of Annual Use: Jan 1 – Dec 31

Remarks: Claimed priority date of January 1, 1930

Diversion Point: SE 1/4 SE 1/4 Sec 29 and NW 1/4

NW 1/4 Sec 33; all in T2S-R24E

Water Impounded: S 1/2 SE 1/4 Sec 29, NE 1/4

NW 1/4, N 1/2 NE 1/4 Sec 32 and NW 1/4 NW 1/4

Sec 33; all in T2S-R24E

	29		28		
	32		33		

Depth of Well: NA

Well Driller: NA

Remarks:

Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 4-16-19

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
VESTED WATER RIGHT NO. 2798-2**

Date of Receipt of Claim April 15, 2019.

Date of Validation June 10, 2019.

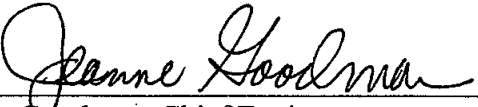
The Chief Engineer, on behalf of the Water Management Board validated Vested Water Right Claim No. 2798-2 for the Town of Belvidere, PO Box 189, Belvidere SD 57521 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 2798-2 authorizes impoundment of 240 acre-feet of water annually from runoff and Brave Bull Creek in an existing dam located in the SE 1/4 SE 1/4 Section 29 and NW 1/4 NW 1/4 Section 33 with water impounded in the S 1/2 SE 1/4 Section 29, NE 1/4 NW 1/4, N 1/2 NE 1/4 Section 32 and NW 1/4 NW 1/4 Section 33; all in T2S-R24E. This vested right authorizes impoundment of sufficient water to maintain water to the outlet elevation. The dam is located on the north edge of the Town of Belvidere.
2. The appropriated water is used for providing habitat for fish and wildlife propagation, recreational and municipal use purposes and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following annual period: January 1 – December 31.
4. The priority date of the Vested Water Right is January 1, 1930.
5. The water use system has been constructed and water has been applied to beneficial use.
6. Water Rights obtained in compliance with the laws of the State of South Dakota must not be unlawfully impaired by this appropriation.

QUALIFICATION

Vested Water Right No. 2798-2 authorizes an impoundment with a storage capacity of 240 acre feet of water.

WATER MANAGEMENT BOARD

By: 
Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 20 2019

date



PAID

APR 16 2019

Ck# 22219

RECEIVED

APR 15 2019

WATER RIGHTS
PROGRAM

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>2798-2</u>	(office use only) Hydrologic Unit <u>10140102</u>
	Basin <u>Bad River</u>	
	Newspaper <u>Kadoka Press</u>	
	<u>Capital Journal</u>	

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

Check use(s) of water:

- | | | | |
|---|--|---|--|
| ☒ Municipal | ☐ Water Distribution System | ☒ Recreational | ☐ Institutional |
| ☐ Rural Water System | ☐ Commercial | ☒ Fish & Wildlife | ☐ Geothermal |
| ☐ 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.)

1. Name to Appear on Water Permit Town of BelvidereMailing Address PO Box 189 Belvidere SD 57521
(Address) (City) (State) (Zip Code)Phone 605 344-1212 Mobile _____ Email belvidere@gwtc.net2. Amount of water claimed _____ *CFS or _____ **GPM and 240 ***AF or _____ Gallons
Flow rate and volume are both required. (*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use)3. Source of water supply dam on Brave Bull Creek4. Location of point of diversion see below County Jackson
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☒ NoIf "Yes," where will water be used? _____
(example - NW 1/4 section 12-T104N-R53W)5. County or counties where water will be used Jackson6. Annual period during which water is to be used January 1 - December 31

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

dam primarily in SE 1/4 SE 1/4 Section 29 and NW 1/4 NW 1/4 Section 33; all in T2S-R24E
impoundment primarily in S1/2 SE 1/4 Section 29, NE 1/4 NW 1/4, N 1/2 NE 1/4 Section 32 and NW 1/4 NW 1/4 Section 33; all in T2S-R24E

Dam built in 1930 by railroad company

X

I, Scot O'Bryan Scot O'Bryan President, the applicant, certify under
Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

Affidavit of Water Use

Form 2B
(Type or Print in Ink)

Note: This Form is supplemental to Form 2 and is to be used when an affidavit is needed to document historical water use, primarily with vested right claims.

Affidavit Of Construction Of Water Use System And Application Of Water To Beneficial Use

Name of Applicant (Same as Form 2) Town of Belvidere

Mailing Address PO Box 189 Belvidere SD 57521-0189
(Address) (City) (State) (Zip Code)

A. Notice of Appropriation _____ Date of Posting _____

Date of Recording _____ Recording Date _____

B. Date of start of construction of water supply system January 1, 1930

C. Date that water was first applied to beneficial use January 1, 1930

D. Name of owner of original water supply system Chicago, Milwaukee, St Paul & Pacific Railroad Company

E. Amount of water originally applied to beneficial use 240 acre feet

F. Present use of water - amount of water now being used 240 acre feet

Date that this water was first used January 1, 1930

G. Chronological History of Water Use

To the best of the town's knowledge the dam was constructed by the railroad in 1930.

The Town of Belvidere took over ownership of the dam at some point in the past.

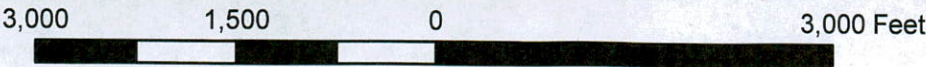
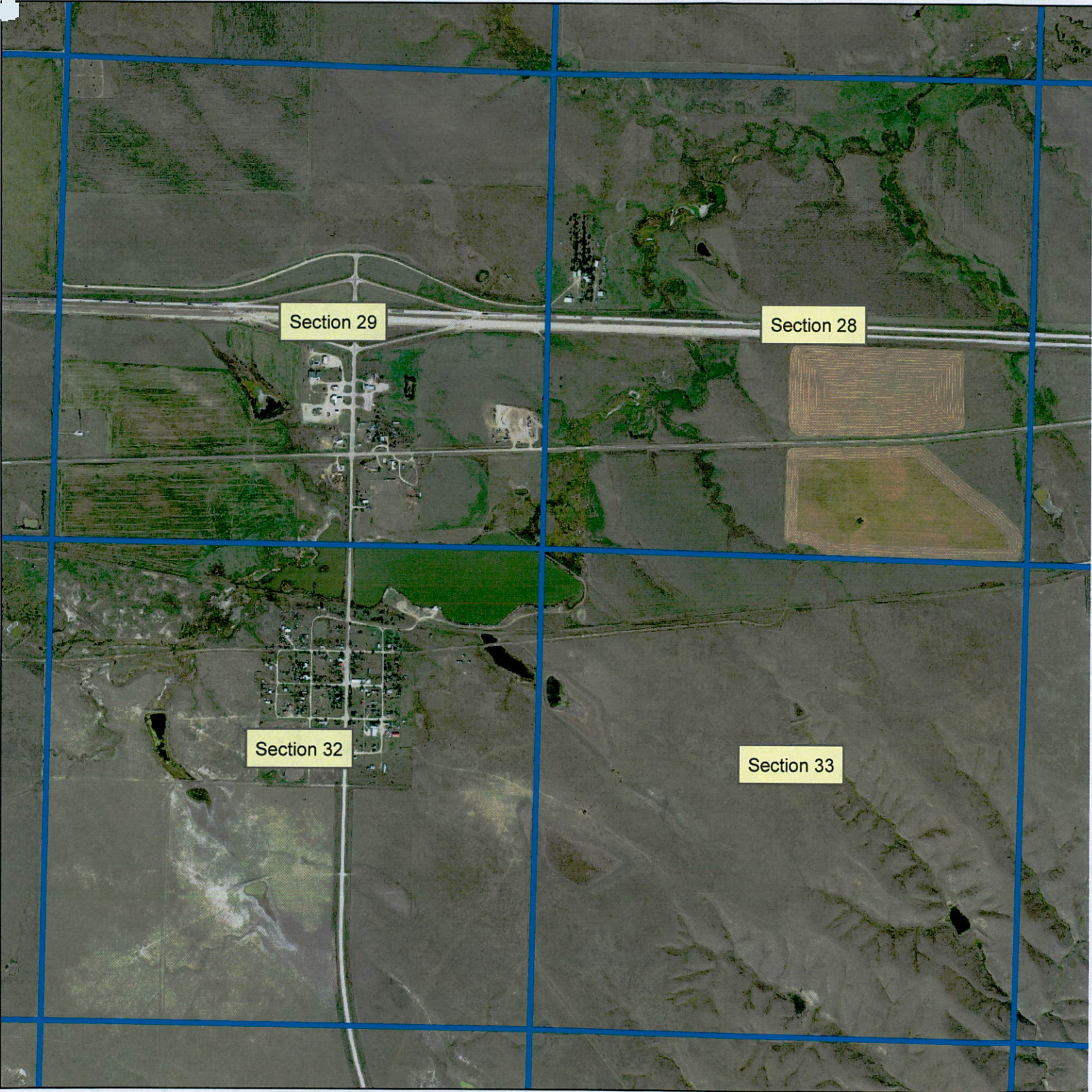
I, Scot O'Bryan the applicant, certify that I have read the foregoing and that the matters therein are true.

I, the undersigned do hereby certify that I know about the water use system described above, that I have read the foregoing, and that the matters therein are true.

Scot O'Bryan, 2019

_____, 20____

VESTED WATER RIGHT APPLICATION - TOWN OF BELVIDERE



in T002S - R24E

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date April 16, 2019

RECEIVED OF ~~PO Box~~ Belvidere PO Box 189 Belvidere SD 57521

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

Fee for Application for Permit No. <u>2798-2</u> to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for _____		
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	50 00

No. 09121

By

Jeanne Goodman
Chief Engineer
Jm

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: John Rodgers

ADDRESS: PO Box 35, Belvidere SD 57521 COUNTY: Jackson County

DATE: March 11, 2019 TELEPHONE: 605 391-8290 (cell)

RE: conversation with John Rodgers regarding the application he filed for Belvidere dam

I called Mr. Rodger regarding the vested water right application he filed for Belvidere dam in Jackson County. I inquired what led him to file the application since he is a private citizen and the dam is owned by the town of Belvidere. Mr. Rodgers stated his concern that public access was being restricted by those who use the dam to recreate such as fish, boat, etc. He stated the town council seems unwilling to do anything about it. Specifically he had concerns regarding one town council member who has a feedlot next to the lake. He indicated that when a large storm event occurs, manure from the feedlot goes into the lake and has resulted in fish kills. He indicated he complained to DENR but was told the feedlot is not large enough to require coverage under the water pollution control permit. He also said that the inactive rail line on the south side of the lake is being sought after by someone for livestock grazing and if fenced off would further limit public access to the lake. He indicated he has got the rail company to agree not to allow grazing.

I stated that it seems most appropriate for the town to obtain the vested water right since they own the dam instead of a private citizen. Mr. Rodgers seemed to concur with that assessment but wasn't willing to withdraw his application due to concern with the current make-up of the town counsel. He requested the application be put on hold. I indicated that DENR did not want the application to remain on hold indefinitely. Mr. Rodgers stated that he will get back to DENR in April. I reiterated DENR's desire that the town of Belvidere hold the vested water right since it owns the dam.

NAME: Eric Steinhilber



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 11, 2019

John Rodgers
PO Box 35
Belvidere SD 57521

RE: Vested Water Right Application for Belvidere Dam

Dear Mr. Rodgers:

The Department of Environment and Natural Resources (DENR) is in the receipt of the application you filed for the impoundment of water in Belvidere dam. This letter is to confirm that based on our telephone discussion on March 11, 2019, you requested the application be place on hold until April.

Please be aware that if you decide to pursue the application, the Affidavit of Construction of Water Use System and Application of Water to Beneficial Use will need to include the date of start of construction and the date that water was first applied to beneficial use.

As I stated during our discussion, it seems the appropriate entity to hold the vested water right for Belvidere dam is the town of Belvidere since they own the dam. You seemed to agree with that assessment. Possibly the best course of action is to approach the town of Belvidere to file the application.

Please contact me if you have any questions.

Sincerely,

Eric Gronlund COPY
Eric Gronlund
Water Rights Program, DENR
605 773-3352
Eric.gronlund@state.sd.us



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 22, 2019

Scot O'Bryan
PO Box 139
Belvidere SD 57521

Dear Mr. O'Bryan:

As per our phone conversation, enclosed is a partially completed application to file for a vested water right for Belvidere dam. Please review the information carefully and if agreement sign the application and affidavit of water use. The application filing fee is \$50 made payable to the Water Rights Program. This is a one-time filing fee. There is not an annual fee associated with holding a vested water rights.

The Town of Belvidere will also be responsible for the cost of the public notice in two newspapers. That cost will be between the town and the newspapers. We'll walk you through that when we get to that point. I'd estimate the total cost of the public notice will be around \$100

Our records indicate the dam impounds 240 acre feet of water at the primary outlet elevation.

I have also included a blank application form in the event you need to change anything. Give me a call if you have any questions.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

enclosure

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Scot O'Bryan, former Town President

ADDRESS: PO Box 35, Belvidere SD 57521 COUNTY: Jackson County

DATE: May 21, 2019 TELEPHONE: 605 515-3960 (cell)

RE: conversation with Scot O'Bryan regarding the application filed for Belvidere dam

I called Mr. O'Bryan who was the Town President for Belvidere when the application for vested water right was filed. He is no longer the Town President.

I stated the uses of water listed on the application included recreation, fish and wildlife and municipal use. I asked if there are any physical diversions from the dam made by the city for municipal uses such as irrigating a park. Mr. O'Bryan indicated there are no physical diversion made of water from Belvidere dam.

I then asked if he knew when the dam was transferred from the railroad to the Town of Belvidere. He was not aware of the date but indicated he was prior to the 1960's.

NAME: Eric Thompson



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

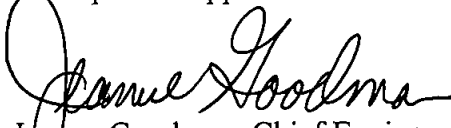
**RECOMMENDATION OF CHIEF ENGINEER FOR VALIDATION OF VESTED
WATER RIGHT APPLICATION NO. 2798-2, TOWN OF BELVIDERE**

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 Vested Water Right Application No. 2798-2, Town of Belvidere, c/o Jo Rodgers, Finance Officer, PO Box 189, Belvidere SD 57521.

The Chief Engineer is recommending VALIDATION of Application No. 2798-2 because 1) water has been appropriated as described for fish and wildlife propagation, recreational use and municipal use with a priority date of January 1, 1930, 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water, and 4) it is in the public interest with the following qualification:

Vested Water Right No. 2798-2 authorizes an impoundment with a storage capacity of 240 acre feet of water.

See report on application for additional information.


Jeanne Goodman, Chief Engineer
May 22, 2019

REPORT ON WATER PERMIT APPLICATION NO. 2798-2

Town of Belvidere

May 15, 2019

Application No. 2798-2, proposes to validate a vested water right claim authorizing impoundment of 240 acre-feet of water annually from runoff and Brave Bull Creek in an existing dam located in the SE 1/4 SE 1/4 Section 29 and NW 1/4 NW 1/4 Section 33 with water impounded in the S 1/2 SE 1/4 Section 29, NE 1/4 NW 1/4, N 1/2 NE 1/4 Section 32 and NW 1/4 NW 1/4 Section 33; all in T2S-R24E. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water use has a claimed priority date of January 1, 1930 and is used to provide habitat for fish and wildlife propagation, recreational and municipal use purposes. The dam is located on the north edge of the Town of Belvidere.

Review of the Proposed Project and Proposed Water Source

This dam is listed on the State's Safety of Dams inventory as Belvidere Dam. Based upon information provided in the vested water right claim and from the Safety of Dam's inventory list, Belvidere Dam was constructed in 1930 by the Chicago, Milwaukee, St Paul and Pacific Railroad Company. Ownership was transferred to the Town of Belvidere at an unspecified date. The dam is considered a Category 3 low hazard structure 17 feet high with a 1000-foot long crest and a 100-foot wide spillway as the primary outlet. The dam is capable of impounding up to 240 acre-feet of water.

Brave Bull Creek is a prairie stream which is a tributary to the Bad River with the confluence located approximately 35 miles downstream of Belvidere Dam. A watershed yield analysis was made for runoff from the 8.9 mi² watershed located upstream of the Belvidere Dam. The analysis estimated the drainage area above the dam to be 5,720 acres and had a potential annual yield with a 50% chance of occurrence or 1 out of 2 years of yielding 290 acre-feet annually. At a 10% chance of occurrence, 1 out of 10 years, the estimated annual runoff yield is 763 acre-feet (USDA-NRCS. 2019).

The claimed uses are to provide habitat for fish and wildlife propagation, recreational and municipal use purposes. South Dakota Game Fish and Parks has record of periodically stocking Belvidere Dam with fish beginning in 1930 with the most recent stocking occurring in 2019 (SDGFP. 2019). The Water Rights Program has no historical record of municipal use from Belvidere Dam by the town of Belvidere (Water Rights. 2019).

Review of Existing Water Rights

There are no other existing water rights/permits appropriating water from Brave Bull Creek. There are six existing water rights appropriating 8.2 cfs from the Bad River downstream from the confluence with Brave Bull Creek. Of these existing rights, only one located on the Bad River

approximately 3.5 miles downstream from confluence with Brave Bull Creek and appropriating 0.11 cfs has a priority date senior to the January 1, 1930, claimed priority date. A review of Water Right files does not indicate any interference issues from Belvidere Dam and this senior right or other existing rights. Granting the vested water right claim is not expected to have adverse impacts on existing water rights (Water Rights. 2019).

Conclusions

1. This request proposes to validate a vested water right claim authorizing impoundment of 240 acre-feet of water annually from runoff and Brave Bull Creek in an existing dam.
2. The water use has a claimed priority date of January 1, 1930, and is used to provide habitat for fish and wildlife propagation, recreational and municipal use purposes.
3. The State's Safety of Dams inventory lists this dam as Belvidere Dam and records indicated it was constructed in 1930 by the Chicago, Milwaukee, St Paul and Pacific Railroad Company.
4. Ownership of the Belvidere Dam was transferred to the Town of Belvidere at an unspecified date.
5. Granting the vested water right claim is not expected to have adverse impacts on existing water rights.



Mark D. Rath

Natural Resources Engineer III

References

1. SDGFP. 20019. SD Department of Game Fish and Parks Fishery Reports.
2. USDA-NRCS. 2019. National Engineering Handbook Hydrology - South Dakota Engineering Field Manual - Watershed Yield.
3. Water Rights. 2019. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, May 22, 2019 8:15 AM
To: 'belvidere@gwtc.net'
Subject: Vested Right Application No. 2798-2
Attachments: DOC052219-05222019081001.pdf

Attached is the report, recommendation and information regarding the public notice for the vested right application submitted by the town for Belvidere Dam. As stated in the letter, please contact the newspapers ASAP to authorize publication and arrange for payment. The notice has been emailed to the papers.

If you have questions, please contact me.

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352

RECEIVED

JUN 10 2019

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Hughes) SSI, Margherita Baker

certify that the attached printed Notice was ta

from the Capital Journalprinted and published in PierreCounty of Hughes and

state of South Dakota. The notice was publish

in the newspaper on the following date:

5-30-19Cost of Printing \$40.04Margherita Baker
(Signature)Business Manager
(Title)6-6-19
(Date Signed)SNAXLP 170
July 5/19Notice to Validate
Vested Water Right
Application No. 2798-2
to Appropriate Water

Notice is given that the Town of Belvidere, Jc Rodgers, Finance Officer, PO Box 189, Belvidere SD 57521 has filed an application to validate a vested water right claim authorizing impoundment of 240 acre-feet of water annually from runoff and Brave Bull Creek in an existing dam

located in the SE 1/4 SE 1/4 Section 29 and NW 1/4 NW 1/4 Section 33 with water impounded in the S 1/2 SE 1/4 Section 29, NE 1/4 NW 1/4, N 1/2 NE 1/4 Section 32 and NW 1/4 NW 1/4 Section 33; all in T2S-R24E. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water use has a claimed priority date of January 1, 1930 and is used to provide habitat for fish and wildlife propagation, recreational, and municipal use purposes. The dam is located on the north edge of the Town of Belvidere.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends VALIDATION of Vested Water Right Application No. 2798-2 because 1) water has been appropriated as described for fish and wildlife propagation, recreational use and municipal use with a priority date of January 1, 1930, 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water, and 4) it is in the public interest.

The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 June 10, 2019.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Steven M. Pimer,
Secretary,
Department of Environment
and Natural Resources

Published once at the total
approximate cost of \$40.04.

**APPLICATION NO. 2798-2 TO
APPROPRIATE WATER**

JUN 14 2019

**WATER RIGHTS
PROGRAM**

Steven M. Pimer, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

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

May 22, 2019

Town of Belvidere
Jo Rodgers, Finance Officer
PO Box 189
Belvidere SD 57521

Dear Mr. Rodgers:

Vested Water Right Application No. 2798-2 for Belvidere Dam has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Kadoka Press printed at Kadoka SD (Ph # 605 837-2259) and the Capital Journal printed at Pierre SD (Ph # 605 224-7103). You will need to contact the newspapers 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 newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization from you, the publishers have been instructed to publish your notice. The newspapers have also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Notice to Validate Vested Water Right Application No. 2798-2 to Appropriate Water

Notice is given that the Town of Belvidere, Jo Rodgers, Finance Officer, PO Box 189, Belvidere SD 57521 has filed an application to validate a vested water right claim authorizing impoundment of 240 acre-feet of water annually from runoff and Brave Bull Creek in an existing dam located in the SE 1/4 SE 1/4 Section 29 and NW 1/4 NW 1/4 Section 33 with water impounded in the S 1/2 SE 1/4 Section 29, NE 1/4 NW 1/4, N 1/2 NE 1/4 Section 32 and NW 1/4 NW 1/4 Section 33; all in T2S-R24E. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water use has a claimed priority date of January 1, 1930 and is used to provide habitat for fish and wildlife propagation, recreational and municipal use purposes. The dam is located on the north edge of the Town of Belvidere.

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The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 June 10, 2019.

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Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of _____.

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, May 22, 2019 8:23 AM
To: 'press@kadokatelco.com'
Subject: 2798-2, Town of Belvidere
Attachments: 2798-2public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on May 30, 2019.

The Town of Belvidere, Jo Rodgers, Finance Officer, PO Box 189, Belvidere SD 57521 (605 344-1212) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak

SD DENR, Water Rights Program
(605) 773-3352



Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, May 22, 2019 8:23 AM
To: legals@capjournal.com
Subject: 2798-2, Town of Belvidere
Attachments: 2798-2public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on May 30, 2019.

The Town of Belvidere, Jo Rodgers, Finance Officer, PO Box 189, Belvidere SD 57521 (605 344-1212) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

JUN 20 2019

Town of Belvidere
JC Rodgers, Finance Officer
PO Box 189
Belvidere SD 57521

Dear Mr. Rodgers:

Enclosed is Vested Water Right No. 2798-2 authorizing impoundment of 240 acre-feet of water annually from runoff and Brave Bull Creek in Belvidere Dam with a priority date of January 1, 1930.

We will schedule an inspection so that the Water License may be issued, thus completing the acquisition of a Water Right.

Sincerely,

A handwritten signature in black ink that reads "Jeanne Goodman". The signature is written in a cursive, flowing style.

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures