

WATER PERMIT NO. 536A-2

Name of Applicant: **City of Murdo**

Address: **PO box 432, Murdo SD 57559**

Phone: **605 669-2272**

Amount of Water Claimed: **no add'l**

Total Acres: **62**

Source of Water Supply: **White Clay Creek – Murdo Dam**

Water to be used for: **irrigation**

County: **Jones**

Type of Waste Disposal System:

Location: **1 mile north of Murdo**

PRIORITY

Date Received: **4-10-08**

Application/License Fee: **\$100**

Corrected Application Received:

Period of Annual Use: **April 1 – November 30**

Remarks: **Add irrigation use to Water Right No. 536-2**

Diversion Point: **NW ¼ NW ¼ Sec 36-T1S-R28E**

Land to be Irrigated: **SW ¼ Sec 36-T1S-R28E**

Depth of Well: **NA**

Well Driller:

Remarks:

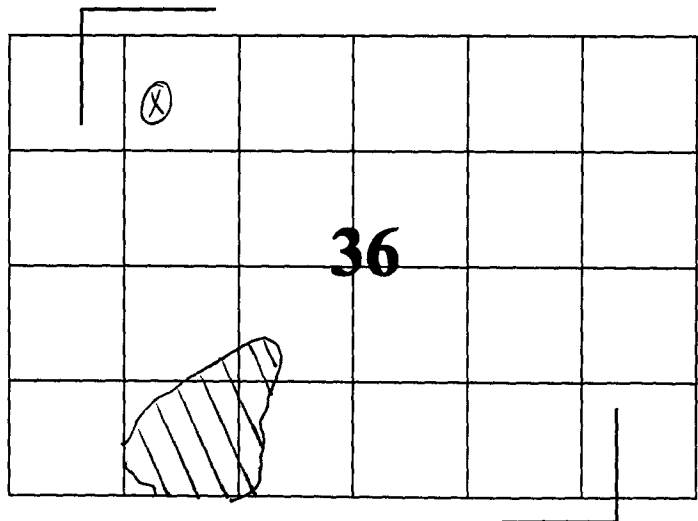
Type of Map: **aerial**

Prepared by: **Eric Gronlund**

Reviewed and the Number Assigned on: **4-11-08**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>536A-2</u> (office use only) Hydrologic Unit <u>10/40/02</u>
	Basin <u>Baer River</u>
	Newspaper <u>Murdo Coyote</u> <u>PO Box 465</u>
	<u>605-669-2271</u> <u>Murdo 57559</u>

RECEIVED
APR 10 2008
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 536-2
(Use predates Mar 2, 1955)

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

add the additional use of irrigation to the city's water right No. 536-2 which currently list municipal use

- Name of Applicant city of Murdo Phone 669-2272
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address PO Box 432 Murdo State SD 57559
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.38 *CFS or **GPM ***AF Total Acreage 62
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply White Clay Creek - Murdo dam
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Jones
NW 1/4 NW 1/4 Section 36, T1S, R28E
- County or counties where water will be used Jones
- Annual period during which water is to be used April 1 - November 30
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
SW 1/4 Section 36, T1S, R28E	62		

- Give a description of the project. (Attach sheet if more space is needed)

city is hooked to rural water for potable supply. The water diverted is primarily now used for irrigation of the city's golf course. However, the city wants to retain is municipal use as a back up source in the event it becomes necessary to use it for municipal

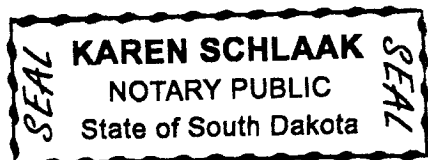
STATE OF SOUTH DAKOTA)
County of Hughes) SS

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

I, Ray Erickson, 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 Ray Erickson

Subscribed and sworn to before me this 10th day of April 20 08



Karen Schlaack
Notary Public signature

My commission expires 4/1/13

SOUTH DAKOTA
WATER PERMIT NO. 536A-2

Date of first receipt of application April 10, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 536A-2 to City of Murdo, PO Box 432, Murdo SD 57559 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 536A-2 amends Vested Water Right No. 536-2 to include irrigation use. Vested Water Right No. 536-2 appropriates 0.38 cubic feet of water per second from White Clay Creek (Murdo Dam) located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36-T1S-R28E for municipal use. This permit will utilize the existing diversion point to irrigate 62 acres of the golf course located in the SW $\frac{1}{4}$ Section 36-T1S-R28E.

The city is supplied by a rural water system but will maintain this water source as a backup supply for municipal use.

2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – November 30.
3. The date from which applicant may claim right is January 1, 1932.
4. The date of approval of Permit No. 536A-2 is July 14, 2008.
5. One-fifth of the construction is to be completed on or before January 14, 2011.
6. All construction is to be completed on or before July 14, 2013.
7. Water is to be put to beneficial use on or before July 14, 2017.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

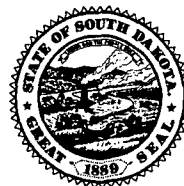
WATER MANAGEMENT BOARD

By: Garland Erbele

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

JUL 24 2008

date





0 350 700 1,400 2,100 2,800 Feet



Irrigation of municipal golf course in the SW 1/4 Section 36, T1S, R28E
Diversion point is located in the NW 1/4 NW 1/4 Section 36, T1S, R28E

Eric Gronlund
Eric Gronlund
Water Rights Program, DENR

(Bill or claim against the City.)

P.O. BOX 432

Vendor No. _____

Warrant No. 14043

Claim of: Water Rights Program

Address:

Claimant Verification:

I declare and affirm under the penalties of perjury that this claim has been examined by me and to the best of my knowledge and belief, is in all things true and correct.

SIGNED by Person Making Claim

TITLE: Owner, Manager, Etc.

Finance Officer Verification:

I declare and affirm under the penalties of perjury that this claim has been examined by me, and to the best of my knowledge and belief, is in all things true and correct. I further certify that the above services were rendered, or that the above listed materials were received in an acceptable condition, and that the above claim is hereby approved for payment this

5 day of May, 2008

Signed: Tracy Barnes
Finance Officer

APPROVAL BY THE CITY COUNCIL FOR PAYMENT

APPROVED / REJECTED for payment by City Council action on 5-5-08

Signed: Chris D. Soley
Mayor / Council President

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/8, 20 08

RECEIVED OF City of Murdo PO Box 432 Murdo SD 57559

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

Fee for Application for Permit No. <u>536A-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. <u>536A-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)		
TOTAL	100	00

No.

03667

By

[Signature]
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 536A-2, City of Murdo**

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. 536A-2, City of Murdo, c/o Ray Erickson, PO Box 432, Murdo SD 57559.

The Chief Engineer is recommending APPROVAL of Application No. 536A-2 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualification:

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
June 13, 2008

REPORT ON WATER PERMIT APPLICATION NO. 536A-2

City of Murdo

June 13, 2008

Application No. the City of Murdo, proposes to amend Water Right No. 536-2 by adding irrigation use. Water Right No. 536-2 appropriates 0.38 cubic feet of water per second from White Clay Creek (Murdo Dam) located in the NW ¼ NW ¼ Section 36-T1S-R28E for municipal use. This application proposes to utilize the existing diversion point to irrigate 62 acres of the golf course located in the SW ¼ Section 36-T1S-R28E. The city is supplied by a rural water system but will maintain this water source as a backup supply for municipal use. The proposed project is located in Jones County.

Review of the Project

Water Right No. 536-2 bearing the priority date of January 1, 1932 was validated by the Water Management Board in May of 1992 for municipal use. The City of Murdo's municipal water is now supplied by rural water. The City intends to maintain this water supply as an emergency backup source for their municipal system. This application requests to add irrigation as an authorized use for the water appropriated under Vested Water Right No. 536-2 to irrigate 62 acres of the City's golf course.

Review of Existing Water Rights

The source of water for this project is White Clay Creek impounded behind Murdo Dam. There are no other existing water rights/permits located on White Clay Creek at the diversion point to the confluence with the Bad River approximately 50 river miles downstream. There are 4 existing water permits/rights appropriating 8.0 cfs from the Bad River downstream from the White Clay Creek confluence. All these water permits/rights are junior in priority to Water Right No 536-2 and would not expected to be adversely impacted by this request.

Conclusions

1. The City of Murdo holds Water Right No. 536-2, priority date of January 1, 1932 is for municipal use.
2. The City's municipal use is now supplied by a rural water system but will maintain this water source as a backup supply for their municipal use.
3. This application proposes to amend Water Right No. 536-2 by adding irrigation use as an authorized use.
4. The City intends to utilize the existing diversion point to irrigate 62 acres of the golf course located in the SW ¼ Section 36-T1S-R28E.
5. The source of water for this project is White Clay Creek impounded behind Murdo Dam.



Mark D. Rath

Natural Resources Engineering Specialist

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JUL 15 2008

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Jones) SS

I, Keley Nash

certify that the attached printed Notice was
taken

from the Murdo Coyote

printed and published in Murdo

County of Jones and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

June 26, 2008

July 3, 2008

Cost of Printing \$39.64

Keley Nash
(Signature)

Editor

(Title)

July 16, 2008

(Date Signed)

Notice of Application
No. 536A-2 to Amend
Water Right No. 536-2

NOTICE IS GIVEN that the City of Murdo, PO Box 432, Murdo SD 57559 has filed an application for a water permit to amend Water Right 536-2 to include irrigation use. Water Right No. 536-2 appropriates 0.38 cubic feet of water per second from White Clay Creek (Murdo Dam) located in the NW1/4NW1/4 Section 36-T1S-R28E for municipal use. This application proposes to utilize the existing diversion point to irrigate 62 acres of the golf course located in the SW1/4 Section 36-T1S-R28E. The city is supplied by a rural water system but will maintain this water source as a backup supply for municipal use.

Pursuant to SDCL 46-2A-2, the chief engineer recommends APPROVAL of Application No. 536A-2 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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 14, 2008.

The petition may be informal but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

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

[Publish June 26 & July 3, 2008]



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 19, 2008

Murdo Coyote
PO Box 465
Murdo SD 57559

ATTENTION: Legal Public Notice

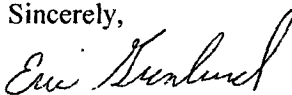
Enclosed is a Notice on Application No. 536A-2 to Appropriate Water to be published twice. Please publish the first notice on June 26, 2008 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 City of Murdo, c/o Ray Erickson, PO Box 432, Murdo SD (Ph # 605-669-2272).

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. 536A-2

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

Date _____

We are in receipt of your letter of June 19, 2008 enclosing Notice to Appropriate Water by Application No. 536A-2 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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

June 19, 2008

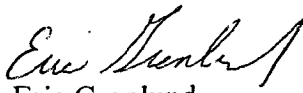
Ray Erickson
City of Murdo
PO Box 432
Murdo SD 57559

Dear Mr. Erickson:

Water Permit Application No. 536A-2 for irrigation 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 Murdo Coyote printed at Murdo SD (Ph # 605-669-2271). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish first Notice on June 26, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 536A-2 to Amend Water Right No. 536-2

Notice is given that the City of Murdo, PO Box 432, Murdo SD 57559 has filed an application for a water permit to amend Water Right No. 536-2 to include irrigation use. Water Right No. 536-2 appropriates 0.38 cubic feet of water per second from White Clay Creek (Murdo Dam) located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36-T1S-R28E for municipal use. This application proposes to utilize the existing diversion point to irrigate 62 acres of the golf course located in the SW $\frac{1}{4}$ Section 36-T1S-R28E. The city is supplied by a rural water system but will maintain this water source as a backup supply for municipal use

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 536A-2 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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 14, 2008.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 24 2008

City of Murdo
Ray Erikson, Water Supt.
PO Box 432
Murdo SD 57559

Dear Mr. Erickson:

Enclosed is Water Permit No. 536A-2 amending Vested Water Right No. 536-2 to include irrigation use.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after the city has 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.

Sincerely,

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

enclosures

536A-2

RECEIVED

DEC 24 2008

WATER RIGHTS
PROGRAM**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**Date 12/22/2008

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

FROM: City of Murdo
(name)
202 Lincoln Ave.
(address)
Murdo, S.D. 57559 605-669-2272
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

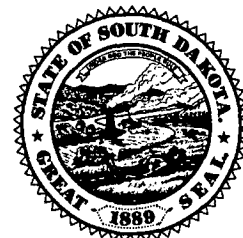
Water Permit No. 536A-2 states that the water use system is to be constructed by
Change of Use and water is to be put to beneficial use by Change of Use
(date) (date)

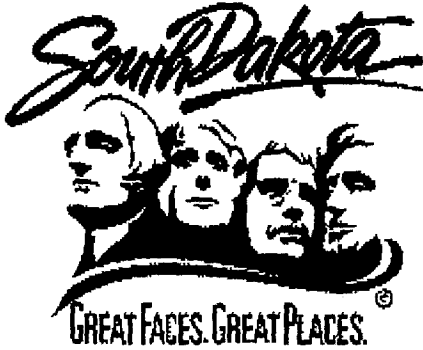
The water use system was completed on July 14, 2008
(date)

Applying the water to beneficial use was completed on July 14, 2008
(date)

You may schedule an investigation so that the water license may be issued.

Ray Erickson Wlw Supt.
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 31, 2008

536A-2

Ray Erikson, Water Supt
City of Murdo
202 Lincoln Ave
Murdo SD 57559

Dear Mr. Erikson:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know the City is completed with the irrigation system authorized by Water Permit No. 536A-2.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of the project and the staff inspection has no bearing on the water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath".

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 536A-2

I have this day, September 17, 2018 made a thorough examination of the water use system constructed by City of Murdo, P.O. Box 432, Murdo SD 57559 of Permit No. 536A-2, bearing the priority of 1/1/1932 authorizing the diversion of 0.38 cu. ft. per second of the waters of White Clay Creek (Murdo Dam) for irrigation purposes in Jones County.

Inspection contact & relationship to permit holder, if applicable: **Ray Erikson**
Water and Waste Water Superintendent

A. Works used to divert the water

Dam Information:

- 1) Height to crest 42 feet from downstream toe
- 2) Height to primary spillway 33 feet from downstream toe (approx.)
- 3) Height to secondary spillway 35.5 feet from downstream toe (approx..)
- 4) Crest width 13 feet
- 5) Crest length 1,450 feet
- 6) Primary Spillway diameter 36 inch
- 7) Secondary Spillway width 120 feet (approx..)
- 8) Maximum Water Depth 28 feet (published lake contours)
- 9) Surface Area 85.7 acres
- 10) Approx. storage to primary spillway 825 ac-ft
- 11) Approx. storage to crest 1,740 ac-ft

Date constructed: 1932

Pump:

- 1) Make -----
- 2) Model Multi-stage turbine
- 3) Size -----
- 4) Capacity 235 GPM

Power:

- 1) Source Electric
- 2) Horsepower rating 30 hp

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

- 1) Type asbestos cement pipeline
- 2) Size 6 inches
- 3) Length 4,180 feet

Comments:

C. Works used to apply water to beneficial use:

The system is used to irrigate the city owned 9 hole golf course. Water is pumped from a pump station located on the northwest corner of the reservoir to a booster pump on the golf course. Irrigation is controlled using a computerized program for the multiple zoned system.

Comments: The water diverted from the Murdo Dam is used only for irrigation of the city golf course. The city is connected to West River Lyman Jones rural water system for its potable water supply. At the time of the permit application, the intent was to use water stored in Murdo Dam as a backup water supply. The City has since removed all treatment facilities for potable water and has no intention of ever utilizing water from the reservoir for municipal potable use.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes (none)
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

List any extended period of nonuse: **none**

- 3) Exceptions to compliance are: none

E. Condition and Location:

1. The system is in good condition with the point of diversion located as follows:
740' E and 120' S of the NW corner Section 36 T1S R28E (43.922406, -100.723128)

2. The works are capable of diverting and conveying to the place of use 0.52 cu. ft. per second of water (235 gpm) which is to be used for sprinkler irrigation use. Water has been put to beneficial use to the maximum extent as follows:

<u>Section 36 T1S R28E</u>	
NW¼ SW¼ 14.2 acres	NE¼ SW¼ 6.8 acres
SW¼ SW¼ 30.3 acres	SE¼ SW¼ 10.7 acres

comprising a total of 62.0 acres of land and the license should be issued for 0.38 cfs .

3. All structures, wells and lands on map: Yes

F. Comments or other permit(s) associated with the project:

Permit 536A-2 amends Vested Water Right No. 536-2 (1932) appropriating 0.38 cfs for municipal use to include irrigation of 62 acres located in the SW ¼ Section 36 T1S R28E. The permit will utilize the existing diversion point.



Steven Quissell
Water Rights Inspector
DENR Water Rights Program

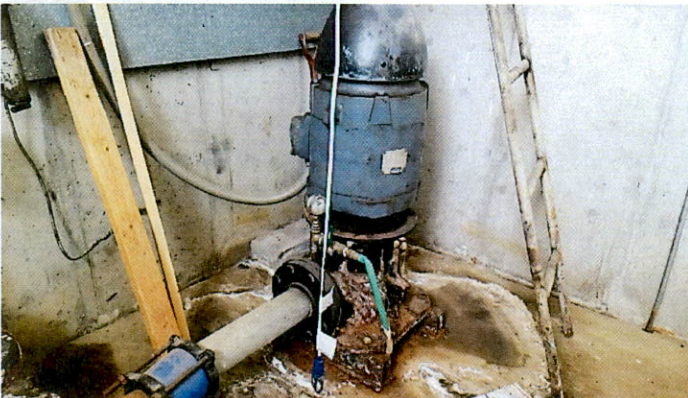
Date Report Completed: 9/19/2018



Reservoir viewed from northwest



Front face of dam

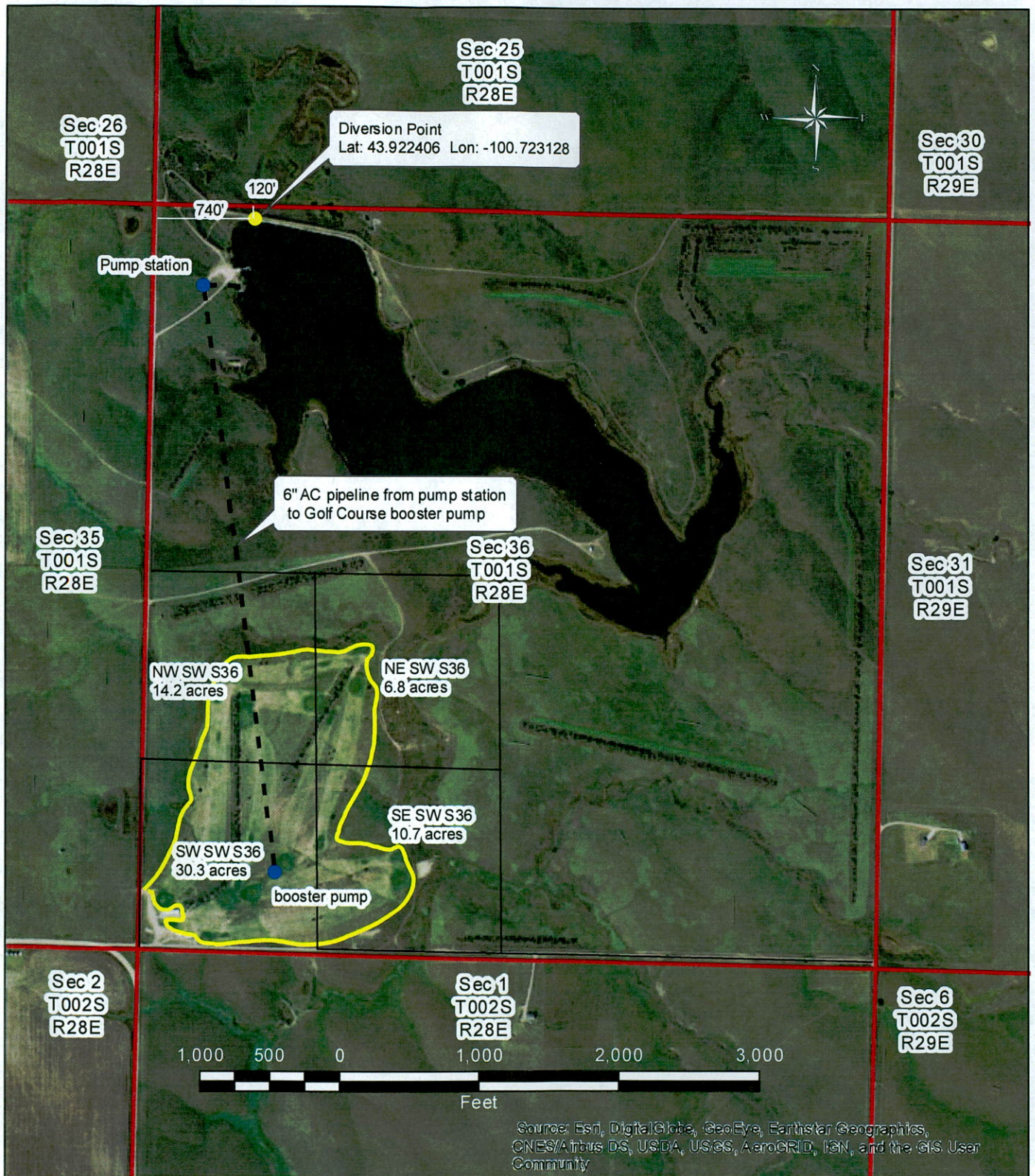


Pump station at reservoir



Booster pump at golf course

Water Right #536A-2
City of Murdo
9/17/2018



Steven Quissell

Steven Quissell
Water Rights Inspector
DENR Water Rights Program





536A-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

OCT 16 2018

536-2
536A-2

Ray Erikson
Water & Wastewater Supt
City of Murdo
PO Box 432
Murdo SD 57559-0432

Dear Mr. Erikson:

Enclosed is Water License No. 536A-2. This is the final water right document completing the process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

Upon licensing, the applicable portions of Vested Water Right No. 536-2 were incorporated into No. 536A-2. As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

enclosures

NOTE: The investigation found your irrigation system is capable of diverting 0.52 cubic feet of water per second (cfs) which is equivalent to approximately 235 gallons per minute. The authorized appropriation for the golf course is 0.38 cfs (equivalent to approximately 170 gpm). Diversion of water under this water license is limited to 0.38 cfs.

STATE OF SOUTH DAKOTA WATER LICENSE NO. 536A-2

(1) The City of Murdo, PO Box 432, Murdo SD 57559-0432 made Application No. 536A-2, April 10, 2008 for a water permit to amend Vested Water Right No. 536-2 to include irrigation use from White Clay Creek (Murdo Dam), Jones County, South Dakota. Permit No. 536A-2, with a priority date of January 1, 1932 (established under Vested Right No. 536-2) was approved July 14, 2008 and issued to the city for diversion of water with construction of the described water supply system to be completed on or before July 14, 2013 and for the application to beneficial use of water on or before July 14, 2017.

Vested Water Right No. 536-2 authorized diversion of 0.38 cfs from White Clay Creek (Murdo Dam) for municipal purposes. Water Permit No. 536A-2 was obtained to include irrigation use as part of the diversion from the reservoir. The city connected to West River Lyman Jones rural water system for its potable water supply with intent to maintain Murdo Dam has a backup water supply. The investigation of the irrigation system authorized under No. 536A-2, found the city had removed all treatment facilities for potable water and would no longer be using the reservoir for municipal use.

The applicable portions of Vested Water Right No. 536-2 has been incorporated into Water License No. 536A-2.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 0.38 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 740'E and 120'S of the NW corner of Section 36, T1S, R28E (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
Latitude 43.922406, Longitude -100.723128

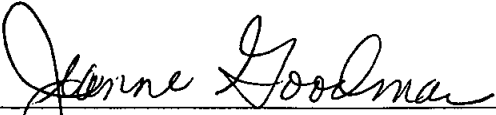
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T1S, R28E Section 36	NW $\frac{1}{4}$ SW $\frac{1}{4}$	14.2 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	6.8 acres
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	30.3 acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	10.7 acres
	Total	62.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Murdo, PO Box 432, Murdo SD 57559-0432 the holder and/or owner of Water Right No. 536A-2 is issued a license to appropriate water, the right to use 0.38 cubic feet of water per second from White Clay Creek (Murdo Dam) with a priority date of January 1, 1932 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 536A-2 and subject to the following qualification:

- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.


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

OCT 16 2018
date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

May 2, 2024

536A-2

City of Murdo
c/o Jeff Sonder
PO Box 432
Murdo SD 57559

Dear Mr. Sonder:

I am writing in regard to Water Right No. 536A-2. The water right authorizes diversion of water from White Clay Cree (Murdo Dam), for the irrigation of 62 acres in the SW $\frac{1}{4}$ of Section 36, T1SN, R28E.

In reviewing your 2023 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

Water Right No. 536A-2 allows you to use up to 2 acre-feet (ac-ft) (24 inches) of water, per acre, per year. On the questionnaire you reported substantially more water use. The following information is what was reported and what is authorized:

- 62 acres irrigated
- Reported water use – 2319 ac-ft of water (approximately 450 inches)
- Authorized water use – 124 acre-feet (62 acres x 2 ac-ft per year)

We realize that water use depends greatly on climactic conditions and may vary year to year. However, it is very rare that irrigators come close to the 24 inches per acre that is authorized. Typical water use is between 8 and 12 inches per acre. Often, irrigators do not keep track of their days or hours actually pumped and estimate numbers for the questionnaires in an effort to get them completed and back in on time. While we appreciate returning the forms in a timely manner each year, we need the forms to reflect accurate information to ensure everyone is limiting their use to the amount of water appropriated to them.

The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

If you do in fact apply as much water as claimed on your questionnaire, you are exceeding the limits of your water right and will have to reduce your discharge to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2026

NOTICE

TO: CITY OF MURDO, PO BOX 432, MURDO, SD 57559 0432
FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 536A-2. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 536A-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 536A-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 4, 2026** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: FBUXSM**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 11, 2026

536A-2

City of Murdo
C/O Krysti Barnes
PO Box 432
Murdo, SD 57559

Dear Ms. Barnes,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). The information was received in our office prior to the Water Management Board meeting, and your name has been deleted from the agenda.

Krysti thank you for getting the Irrigation Questionnaire filled out online. For now, I have the contact person as you. You can let us know who the new operators are on either the paper form, or online, when you send it back for this 2026 year.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us