

Third Street Dam
Huron, South Dakota

Form 2—Application for Permit to Appropriate Water—Original

No. 1022-3

Water Division No. 3 JAMES RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)

RECEIVED
JUN 5 1936
STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT
For A Vested Water Storage Rights
To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant City of Huron
Postoffice address P. O. Box No. 97, County Beadle, State South Dakota

I. If a corporation Municipal Corporation

(a) Name of same City of Huron

(b) Date and place of incorporation 1883

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Work completed on Third Street Dam 1936

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Third Street Dam located S.E. 1/4, N.E. 1/4, Section 6, T. 110N., R. 61W.

3. Amount of water claimed 2600 acre feet per year
~~cubic feet per second~~

4. Source of water supply James River

5. Location of point of diversion Row water intake located at a point N. 22° 30' E, 245 feet
from the S.W. corner of S.E. 1/4, N.E. 1/4,
Section 6, T. 110N., R. 61W. on west bank of James River, Beadle County.

6. Annual period or periods during which water is to be used Continuous

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Domestic and Municipal use

(a) Number of acres to be irrigated None acres.

(b) Legal subdivisions to be irrigated None

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) Municipal water supply for City
of Huron, South Dakota

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Domestic, Fire protection, industrial, recreation, etc.
Name any of the above uses claimed

(b) Amount of power to be generated None horse power.

Amount claimed for engine cooling None

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream Huron Sewage Disposal Plant located
In N.E. 1/4, N.E. 1/4, Section 7, T. 110 N., R. 61W. of the 5th P.M., Beadle
County, South Dakota.

V/R

8. Estimated cost of work:

(a) Head Gate, \$----- (b) Pumping plant, \$-----
 (c) Fluming, \$----- (d) Canal-earth, \$----- Rock, \$-----
 (e) Other structures ----- \$----- Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

Overflow dam forming reservoir on James River, Jr. Beadle County-----

II. Dimensions of works.

(a) Dam: Height 9.1 feet; length at bottom 348 feet; length at top 348 feet; thickness at bottom 18.5 feet; thickness at top 4.0 feet; slope at front water face vertical; slope at back face 5/4; material used in construction rubble masonry
 (b) Reservoir: Capacity when filled 2600 acre feet. Surface area at highwater mark ----- acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width two 30 inch outlets with slide gates. feet; height ----- feet;
 Material Corrugated pipe with steel gates
 (d) Canal: Total length ----- miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work Completed 1936 years.11. Time required for complete application of water to the proposed beneficial use unknown years.12. Choice of newspaper for publication of notice of intention to appropriate -----
The Daily Plainsman, Huron, South Dakota

STATE OF SOUTH DAKOTA

County of Beadle

I, G. W. Denison, Mayor, City of Huron, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner; that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

G. W. DenisonSubscribed and sworn to before me this 14th day of February 1963

J. P. Peterson, City Auditor
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

"VESTED RIGHT" CLAIMED

THIS PERMIT IS FOR THE STORAGE IN THE
3RD STREET DAM, AND EXCLUDES THE ADDITIONAL
STORAGE AUTHORIZED UNDER PERMIT 755-3

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota,

JUNE 28, 1963

This is to certify that the foregoing application was received by the Commission at 8:20 o'clock

a.m. upon the 21ST day of FEBRUARY, 1963

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Number of permit 1022-3

Date of first receipt of application FEBRUARY 21, 1963

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right 1936, 19____

Approved JUNE 28, 1963, Recorded in Book 8 Page 90

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed on or before _____, 19____

2nd. The whole of said work is ~~to be~~ completed on or before _____, 19____

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

COMPLETED

4th. The water appropriated shall be used for the purpose of MUNICIPAL USE

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 2600 acre feet annually, ~~cubic feet per second~~, neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the ~~vicinity~~ of the best husbandry, and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually ~~used~~ WAS

STORED FOR MUNICIPAL SUPPLIES

and beneficially ~~applied to irrigation~~ on or before JUNE 30, 1955; said water to be used during the following described annual period:

CONTINUOUSLY

Witness my hand this 28TH day of JUNE, 1963

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued JUNE 28, 1963

Water License Issued JUNE 28, 1963

Remarks by the Applicant:

The Third Street Dam was constructed in 1936 and forms a reservoir on the James River in Beadle County in which approximately 2600 acre feet of water is stored. The City of Huron's raw water intake is located on the west bank of the James River and/or reservoir formed by the Third Street Dam at a point N. 22° 30' E. 245 feet from the S.W. corner of the S.E.¼, N.E.¼, Section 6, T. 11N., R. 61W., of the 5th P.M., Beadle County, South Dakota.

The water stored in this reservoir is pumped into the municipal water supply system and used for domestic purposes, industry, fire protection, recreation, lawn watering, etc. necessary to fulfill the municipal water supply system demands and requirements for the health, welfare and protection of the citizens and their properties in the City of Huron, Beadle County, South Dakota.

See Permit 1027-3 for
James Diversion Dam

STATE OF SOUTH DAKOTA

WATER LICENSE No. 1022-3

WHEREAS, On the 21st day of February A. D. 1963
the City of Huron

~~of~~ County of Beadle and State of
South Dakota duly made application (No. 1022-3) to us for Vested Right 2600 acre feet
annually ~~public use~~ of the waters of the James River
County of Beadle, State of South Dakota, for municipal
purposes; and

WHEREAS, On the 28th day of June A. D. 1963
Vested Right Permit No. 1022-3 was issued to said applicant for the diversion of said water, and recognizing the
completion of the works of diversion therein described ~~on or before the~~ ~~XXXXXX~~
~~XXXXXX~~ and ~~XXXXXX~~ applicant to beneficial use of said
water ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~
and,

WHEREAS, On the 21st day of February A. D. 1963
the holder of said permit duly made proof of the completion of adequate works for the diversion of 2600 acre feet
annually ~~XXXXXX~~ of said waters, as evidenced by our Certificate No. 1022-3
dated June 28, 1963 confirming the completion of works of sufficient capacity for
2600 acre feet annually
diverting and conveying to the place of intended use ~~XXXXXX~~ of water, with date of
priority of 1936 ~~XXXXXX~~ and,

WHEREAS, On the 21st day of February A. D. 1963
proof was duly made of the application to beneficial use of 2600 acre feet annually
to provide storage of water for use by the City of Huron for municipal purposes

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to the City of Huron

~~xx~~ Vested Right the holder and owner of said/permit No. 1022-3
a water right, dating from 1936 to the use of 2600 acre feet annual

~~XXXXXXXXXXXX~~ of the waters of the James River

In the County of Bendle and State of South Dakota, or so much thereof as may be
necessray for the purposes hereibelow mentioned to be diverted at a point in the SE¹ NE¹ Section 6,
T110N. R61W

and ~~XXXXXXXXXXXX~~ stored in place

for the purpose of municipal use

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 28th day of June A. D. Nineteen
Hundred and Sixty-Three

State Water Resources Commission

By:

J. W. GRIMES

Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Pa _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

Permit No. 1022-3Water Division No. 3 James River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the City of Huron

of _____, County of Beadle, and State of
South Dakota, the holder of Water Right Permit No. 1022-3, issued upon Application
 No. 1022-3, bearing date of priority of 1936, authorizing the storage of
2600 acre feet annually of the waters of the James River

County of Beadle, State of South Dakota, at a point in the SE¹ NE¹,
Section 6, T110N, R61W

for municipal
 purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of
 completion of the works of diversion set out and described in said Permit; that said works are recognized as satisfactory
 condition for diverting and conveying to the place of intended use 2600 acre feet annually

water; and that the land proposed for irrigation use of said water are described as follows,
 to-wit: to provide storage of water for use by the City of Huron for municipal use

Witness my hand this 28th day of June A. D. 1963

State Water Resources Commission

By:

J. W. GRIMES
 Chief Engineer, Executive Officer

CERTIFICATE

STATE OF SOUTH DAKOTA)
) ss.
COUNTY OF BEADLE)

I, the undersigned, duly appointed, qualified and acting City Auditor of the City of Huron, South Dakota, do hereby certify that the attached is a full, true and correct copy of a Resolution as recorded in the original and official minutes of a regular meeting of the Board of City Commissioners of the said City of Huron held on the 4th day of February, 1963, in so far as the original minutes relate to the subject matter of the Transfer of Vested Water Storage Rights of the City of Huron, South Dakota, from the Third Street Dam Reservoir and the Spink County Dam Reservoir to the James Diversion Dam Reservoir upon completion of the James Diversion Dam in the James River, Beadle County, South Dakota.

In Witness Whereof, I have hereunto set my hand and the SEAL of said City of Huron, South Dakota, this 5th day of February, 1963.





R. E. Peterson, City Auditor
Huron, South Dakota

RESOLUTION

WHEREAS, The City of Huron owns and operates the Third Street Dam, in the James River, Beadle County and the Spink County Reservoir in the James River, Spink County, South Dakota, in which it stores water for municipal use. The City of Huron now finds that these reservoirs, together with its other sources of water supply, are inadequate for its present and projected future use, and

WHEREAS, the City of Huron signed a Contract No. 14-06-W-129, dated September 10, 1952, for the Purchase of Water from the James Diversion Dam Reservoir in the James River, a feature of the Oahe Unit of the Missouri River Basin Project, which the United States of America will construct to impound an ample water supply for municipal use by the City of Huron, South Dakota, and

WHEREAS, the James Diversion Dam Reservoir will inundate the Spink County Dam, Spink County Dam Reservoir and extend partially into the area of the Third Street Reservoir in the James River, Beadle County; therefore, a consolidation of water storage rights for the City of Huron, South Dakota, in the James Diversion Dam Reservoir is deemed a necessity and in accord with the provisions of Contract No. 14-06-W-129, dated September 10, 1952.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF HURON, BEADLE COUNTY, SOUTH DAKOTA:

That the Board of Commissioners of the City of Huron hereby authorizes and requests the United States of America, and the State of South Dakota Water Resources Commission and their authorized officers to take appropriate action to accomplish the following items in accordance with the provisions of contract for purchase of water Contract No. 14-06-W-129 dated September 10, 1952, between the City of Huron and the United States of America:

1. Transfer 290 acre-feet of water storage rights in the Third Street Reservoir to the James Diversion Dam Reservoir in the name of and for the City of Huron.
2. Transfer 2,100 acre-feet of water storage rights in the Spink County Dam Reservoir to the James Diversion Dam Reservoir in the name of and for the City of Huron.
3. If deemed necessary by the United States, the right is granted to breach or demolish as it sees fit the Spink County Dam Structure and inundate the Spink County Dam Reservoir with the James Diversion Dam Reservoir when the James Diversion Dam has been completed, and accepted by the City of Huron.

Voting for the approval and adoption of the Resolution: Yeas (5) Larson, Ambrosius, Anderson, Sanford and Denison. Nays (0) None.

Dated this 4th day of February, 1953.

G. W. Denison
Mayor, City of Huron
Beadle County, South Dakota

Attest: R. E. Peterson
City Auditor

Third Street Dam
Huron, South Dakota

FORM NO. 21.

Location No.-----

Water Division No.-----Water District

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. City of Huron, P. O. Box 97, Huron, Beadle County, South Dakota
Municipal Corporation

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. City of Huron, South Dakota, A Municipal Corporation
Mayor of the City of Huron, South Dakota

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. No Prior Notice

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. James River - Third Street Dam located in S.E. $\frac{1}{4}$, N.E. $\frac{1}{4}$, Section 6, T. 110 N.,
R. 61 W. of the 5th P.M., Beadle County, South Dakota

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. Third Street Dam: 9. ' high, 348' long, storage 2600 acre feet. Water taken
from reservoir through raw water intakes located at a point N. 22° 30' E. 245 feet
from the S.W. corner of S.E. $\frac{1}{4}$, N.E. $\frac{1}{4}$, Sec. 6, T. 110 N., R. 61 W. of the 5th P.M. Beadle
County, South Dakota, on the west bank of the James River and/or Third Street Dam Reservoir.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Water is used for household, fire protection, industrial, recreation and
and other use necessary to fulfill Municipal Government requirements and liabilities.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. Applied through the City of Huron Municipal water distribution system to
the consumer.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. Ten (10) second feet per second.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. -----

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. The Third Street Dam was constructed in 1936. Water from the reservoir has been used continuously by the City of Huron for municipal purposes since its completion. The entire storage in the Third Street Reservoir plus the storage in the Spink County Dam Reservoir has been in continuous use by the City of Huron to meet the consumer demand on the Municipal Water System.

(Sign) G. W. Denison

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Huron County of Readle

State of South Dakota, on this 14th day of February A. D. 1963

Norman W. Little, City Engineer

Witnesses.

R. E. Peterson
R. E. Peterson, City Auditor

Huron, South Dakota

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Location No. _____

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

County _____

Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

May 9, 1967

Mr. Norm Van Sickle
City Engineer
City of Huron
Huron, South Dakota 57350

Dear Mr. Van Sickle:

Reference is made to your telephone conversation of May 9, 1967. The City of Huron has the following water rights involving the flows of the James River.

9-3	Allows diversion of 10 c.f.s. of flows of James River
755-3	Allows storage of 600 acre feet in 3rd Street Dam
1022-3	Allows storage of 2620 acre feet in 3rd Street Dam
1023-3	Allows storage of 2100 acre feet in Spink County Dam
1027-3	Allows storage of 2495 acre feet in James River Diversion Dam. (1027-3 is held in the name of U.S. Bureau of Reclamation)

4511

As long as your total diversions from the James River does not exceed 10 c.f.s. plus the releases from storage as authorized in water rights 755-3, 1022-3, 1023-3 and 1027-3 you can divert water directly from flows of the James River upstream from the 3rd Street Dam for watering of park areas.

Under such circumstances it does not seem advisable for you to make application for an additional water right.

Incidentally I note that a water license has not been issued on water right permit 755-3. A member of the Commission Staff will make a final inspection soon so that the water license can be issued.

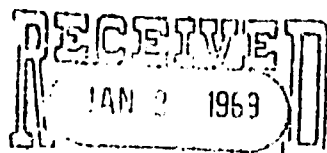
Sincerely,

J.W. GLIMES

JWG/DD/131



CITY OF HURON
SOUTH DAKOTA



SOUTH DAKOTA WATER RESOURCES COMMISSION

Office of the Mayor
LOWELL SCHMIDT

January 22, 1969

Mr. J. W. Grimes
Chief Engineer and Executive Officer
Water Resources Commission
Pierre, South Dakota

Dear Mr. Grimes:

We are investigating several sites around the city of Huron for the ultimate development of an 18-hole municipal golf course. Final selection will be dependent upon several factors. The availability of suitable and adequate water for irrigation of the greens and fairways is one of the very important considerations.

The city of Huron has Water Right No. 93 from the James River which provides for the diversion of 10.0 c.f.s. We assume this water right permits the diversion of James River water for use on a municipal golf course as well as for all other municipal uses.

Two areas are presently under consideration for a golf course using James River water. One proposal considers pumping from the James River into Ravine Lake and then pumping from Ravine Lake to the present municipal golf course area immediately north of the Huron municipal airport in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 25, T. 111 N., R. 62 W. On the basis of some previous exploratory drilling by others in this area, it is very doubtful whether ground water would be available; however, we are not ruling out a test for ground water if this area is selected.

The second area is situated between the east city limits of Huron and the James River. Water could be pumped directly from the river for this golf course area. The point of diversion would be near where the effluent for the Huron sewerage stabilization ponds enters the James River within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T. 110 N., R. 61 E.

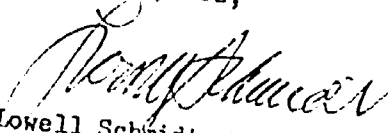
It is expected that the annual irrigation water requests for an 18-hole golf course would be about 200 acre-feet.

Please advise whether water Right No. 9-3 will permit city of Huron to divert James River water for the irrigation of a municipal golf course.

Page 2 -- J. W. Grimes letter -- January 22, 1969

I would appreciate your reply within the next few days so we can begin to make appropriate plans for the proposed golf course.

Sincerely yours,


Lowell Schmidt, Mayor

LS:ecn

cc: Mr. Tal Lockwood, Chairman
Golf Course Committee

Mr. Darles Erickson
City Commissioner

Mr. R. E. Peterson
City Auditor

112
James River
Reservoir

January 24, 1969

Mayor Lowell Schmidt
City of Huron
Huron, South Dakota 57350

Dear Mayor:

This concerns your letter of January 22 about the water supply for your proposed municipal golf course.

Water for the golf course may be used under Huron's three water rights in James River waters (water right 9-3 for diversion of 10 cubic feet per second; 755-3 and 1022-3 for storage by the 3rd Street dam) and under water right 1027-3 held by the Bureau of Reclamation and under contract for water use by Huron.

No complications are involved if you locate the golf course north of Huron (S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 25) and pump from the 3rd Street reservoir into Ravine Lake then to the golf course.

If you locate the golf course east of Huron (SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6), releases past the 3rd Street dam from the 3rd Street reservoir or from the James River reservoir will be necessary at the rate that you pump for the golf course, except when there are ample flows in the James River (spills over the 3rd Street dam) to satisfy prior downstream water rights. The return flows from the stabilization ponds are appropriated by these other water users because of the long period of time that Huron's sewage effluent flows have been a part of James River flows.

If the maximum rate of diversion of water (city use, parks, golf course, etc.) will exceed 10 c.f.s., it may be desirable to establish a new rate of diversion in the City's water right record.

Sincerely,

JWG:ls

J. W. Grimes

IR
Dues Water Use
City of Huron
1/1/71

December 4, 1970

Mr. Glen Housiaux
City Engineer
P. O. Box 1369
Huron, South Dakota 57350

Dear Mr. Housiaux:

On December 4, 1970, in telephone conversations, we discussed some of the aspects of a water use system for a proposed Huron Municipal Golf Course. You asked that a letter be sent to you outlining our discussions.

You stated that the City of Huron is considering constructing a municipal golf course on city land located near the municipal airport. The proposed golf course would be irrigated from water stored in a dam to be constructed on "Broadland Creek". The dam would be kept full either by pumping water from the City of Huron well field, or by pumping water from Ravine Park Lake. In either situation, South Dakota statutes specify that the City of Huron should make a water right application for such a water use system.

You state that Meadowbrook Golf Club downstream has irrigated its golf course by pumping from "Broadland Creek". A check of water right records here shows no recorded water right for the Meadowbrook Golf Club of Huron. If this irrigation started before July 1, 1955 and has been used to some degree since, Meadowbrook would be in position to claim a prior "vested right". The remainder of this letter will be on the assumption that Meadowbrook Golf Course is in position to claim a prior water right.

If the proposed municipal dam on "Broadland Creek" were not full and runoff occurred, water could be stored in the proposed dam that would otherwise be available to Meadowbrook Golf Club. In such situations, the Water Resources Commission normally places a qualification in its approval of the water right application to the effect that flows as needed for prior downstream water rights are to be by-passed. Agreement with the Meadowbrook Golf Club for the procedure to by-pass the water would be helpful.

Mr. Glen Housiaux
December 4, 1970
Page 2

The South Dakota Department of Game, Fish and Parks has Water Right Number 804-3, which provides for public recreation use on Ravine Park Lake. You indicated that if the water were to be pumped from Ravine Park Lake, replacement water would be pumped from water stored by the 3rd Street Dam. Understanding with the Department of Game, Fish and Parks would be advisable in this situation.

Sincerely,

Donald Driscoll
Deputy Chief Engineer
Water Resources Commission

DD/sjb

DATE MICROFILMED

CONSERVATION

City Of Huron, South Dakota 57350

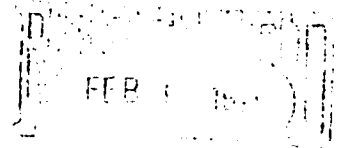


From The Office Of City Auditor

P.O. Box 1369

Phone 605 352-6791

February 18, 1970



S. D. Water Resources Commission
J. W. Grimes, Chief Engineer
State Office Building
Pierre, South Dakota 57501

Dear Mr. Grimes:

As a former resident of the City of Huron and familiar with our raw water sources and particularly with our West Well Field which is located three miles west of Huron, I'm sure you can appreciate our problem and render us some of your expert advice and recommendations on our projected proposal.

The Officials of the City of Huron in the past few months have been discussing the possibility of offering our West Well Field for sale. It appears to us that with the two reservoirs that we now operate and the Oahe Irrigation Project authorized, that there may never be any real necessity for the City of Huron retaining this eighty acre tract for any other purpose then in an acute emergency case.

The present condition of the existing wells are questionable, there may be two that could be activated and used in an emergency situation. The other facilities, mains, pumphouse and water tank are still useable. However, our service main from the well field into the City is beyond repair and would have to be replaced in the event that the wells were to be pressed into service.

Our present thinking on the sale aspect of this tract of real property, if possible, would be along these lines:

- A. Offer the eighty acres at public sale but retain the water rights and water rights usage for emergency purposes;
- B. Abandon, cap, seal or whatever is required all wells except the two usable wells that have pumps, etc. and operational;
- C. Permit the buyer to either purchase one well complete or lease same for irrigation purposes when not needed by the city for emergency purposes;

J. W. Crimes

-2-

February 18, 1970

- D. Retain the water main system, pumphouse, water tank, etc. for emergency purposes but permit the buyer to use the water mains for irrigation purposes;
- E. Reserve the right-of-entry to the property and use of the water rights, well field and facilities in case of an emergency.

We would welcome your comments and advice on this matter and its feasibility and whether or not the Geological Survey Department would have any objections to this arrangement.

Sincerely yours,



R. E. Peterson
City Auditor

P.S. Sorry I missed you when I was
in Pierre a couple weeks ago.

REP/kb

Handwritten:
Held. Peterson
General
City of Huron
2/12

March 5, 1970

Mr. R. E. Peterson
City Auditor
City of Huron
Huron, South Dakota 57350

Dear Mr. Peterson:

There is little really that I can supply in answer to your letter of February 18, primarily because the good judgment of your governing board will have to decide the best procedure to follow concerning your well field.

Any of the alternatives outlined in your letter may be accomplished. It would seem to me that the City should proceed with (B), sell the 80 acres (A), including operational wells, with the reservation (E). If the buyer wants to use the wells for irrigation purposes, he is called upon to transfer and change the use of water of the City's water rights. Also, if the City proceeds under (B), water rights in the plugged wells should be cancelled.

No clearance with the State Geological Survey is required by law. The State Geologist should have no objection to the chosen City action.

I hope that these comments are helpful.

Sincerely,

J. W. Grimes

JWG:ls

Water Plant Division - DWM

Continuation of File Description

9-3
9-3A
1022-3
2049-3
File No. 755-3

NAME OF PERSON OR FILE: City of Huron

ADDRESS: Huron SD 57350 COUNTRY Beadle

DATE: 12/19/85 TELEPHONE

RE:

COMMENTS:

Huron's water rights were inspected on May 2, 1985, for the purpose of updating records regarding James River diversions. Additional information regarding the pumping equipment for James River diversions was recorded as follows:

1.) motor: General Electric, 1750rpm pump: Fairbanks Morse
M.N. SK6238XM501B S.N. K3A2080910-1
S.N. JMT922336, 50hp. 1750rpm, size - 15H

2.) motor: General Electric, 1750rpm pump: Fairbanks Morse
M.N. SK6238XM501B S.N. K3A2080909
S.N. KMT1013331, 40hp. 1750rpm, size - 13H

3.) motor: General Electric, 1750rpm pump: Fairbanks Morse
M.N. SK6238XM501B S.N. K3A2080910
S.N. JMT922331, 50hp. 1750rpm, size - 15H

1.) thru 3.) have a total capacity of 5800 gpm.

4.) motor: U.S. Electrical pump: Western Land Roller
S.N. 2870363 S.N. 959380
1800rpm, 20hp.

4.) Used for pumping from James River to Ravine Lake.

File in or file other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

4/782

NAME: Don Dammell

DATE MICROFILMED

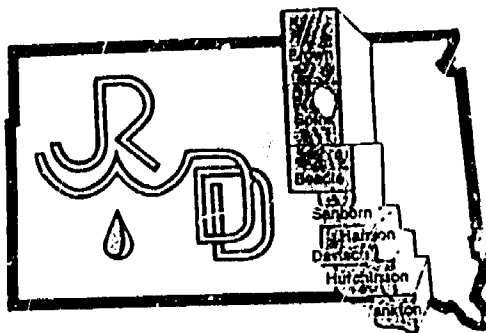
CAMERA OPERATOR

James River Water Development District

STAFF

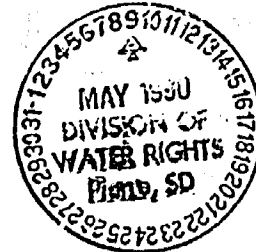
Jerry Bledenfeld, Manager
Kathy Cronin, Office Manager
Terry Mills, Water Project Coordinator

City Hall P.O. Box 849
Huron, SD 57350
605-352-0600



BOARD OF DIRECTORS

DON BARBER-Mitchell
CLINTON BAUER-Freeman
TOM FISCHBACH-Warner
DAN KOUPAL-Mitchell
MERLE LEWIS-Huron
RAY METTLER-Menno
LAUREN STUCK-Mallette
W.J. "Joe" VAN DEROSTYNE-Aberdeen
IRVING WESSEL-Huron



May 8, 1990

Mr. John Hatch, Chief Engineer
Water Rights Division
Joe Foss Building
Pierre, South Dakota - 57501

Dear Mr. Hatch:

Thank you for the past assistance of you and your staff relative to James River water right needs.

Recognizing the potential drought problems, Huron's dependence on the James River for water, and a need to better define the water rights of Huron, the City of Huron has requested that we obtain a clarification on Huron's James River water rights.

As such, we are requesting your assistance by answering the following questions:

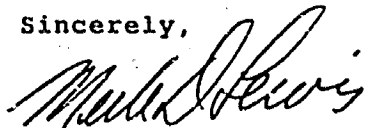
1. Please identify and explain Huron's water quantity rights to the James River. We would appreciate receiving a copy of Huron's water right as part of your answer.
2. We understand that the Bureau of Reclamation owns and holds in reserve certain water rights for the City of Huron. Please identify and explain those water quantity rights.
3. Please explain the necessary steps for Huron to take to get those water rights transferred to the City of Huron. As part of your answer, please explain any implications such a transfer would have on the "PRIORITY DATE" of the water rights.
4. Please identify and explain Sand Lake National Wildlife Refuge's water quantity rights to the James River. We would appreciate receiving a copy of Sand Lake National Wildlife Refuge's water right as part of your answer.
5. In the event that Sand Lake National Wildlife Refuge has water behind their dams, what obligation do they have to allow water to free flow to satisfy Huron's direct or indirect water rights?

6. If Huron is in need of water to fulfill their direct or indirect water rights, can Sand Lake store James River flows before Huron's water right is fulfilled?
7. What is the correlation between South Dakota James River water rights and James River water withdrawals that take place in North Dakota?
8. What protection does South Dakota James River water right holders have against people in North Dakota making withdrawals to the detriment of South Dakota water right holders?
9. Please explain the necessary steps required to allow upstream irrigators to pump water into the James River to supplement Huron's and Dakota Pork's water needs.
10. Would the Department of Water and Natural Resources staff support such an initiative?

John, the City of Huron needs this information to explore possible options for future actions to meet the basic needs of its citizens under a continuing drought cycle. The present condition of the James River, due to the past three years of drought conditions, have prompted the need to seek possible future water solutions and alternatives.

Your assistance in providing this information by May 22, 1990, will enable Huron to begin taking the necessary steps to plan for their future water needs. If you need additional information, you can contact me direct at 352-8411, or through Jerry Biedenfeld at 352-0600.

Sincerely,



Merle D. Lewis, Chairman
James River Water Development District

cc: Norm Ambrosius, Huron Water Commissioner
JH0502

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building
 523 East Capitol
 Pierre, South Dakota 57501-3181

May 25, 1990

Merle D. Lewis, Chairman
 James River Water Development District
 P.O. Box 849
 Huron SD 57350

Dear Mr. Lewis:

I am writing you in response to your letter of May 8, 1990. The following are answers to your questions:

1. The City of Huron has the following water rights:

A) SURFACE WATER:

Water Right No.	Priority Date	Remarks
9-3	April 22, 1914	allows diversion of 5 cubic feet of water per second (cfs) from the James River
9-3A	March 31, 1950	allows 5 cfs diversion from the James River, in addition to No. 9-3
755-3	December 23, 1960	for storage of 600 acre-feet (AF) annually in 3rd Street dam
1022-3*	1936	for storage of 2600 AF annually in 3rd Street dam
2049-3	February 13, 1974	for 2 cfs from the James River during the months of April, May and June when flows are available for irrigation of golf course and for storage of 90 AF annually in Ravine Lake

* Vested Water right claim which has not been validated by the Water Management Board pursuant to SDCL 46-5-49.

May 25, 1990
Merle D. Lewis, Chairman
Page 2

B) GROUNDWATER:

565-3	January 14, 1955	for 2.0 cfs
753-3	December 26, 1960	reserves 4.0 cfs for future use
4296-3	December 26, 1960	uses 0.95 cfs of 4.0 cfs reserved under Future Use Permit No. 753-3
4962-3	December 26, 1960	3.05 cfs, the remainder of water reserved by Future Use Permit No. 753-3

2. The Bureau of Reclamation holds Water Right No. 1027-3 for storage of James River water in the James Diversion Dam as follows:

Transferred 280 acre feet of storage from Vested Water Right Claim No. 1022-3, 3rd Street Dam, to storage in the James Diversion Dam with a priority date of 1936.

Transferred 2100 acre feet of storage from Vested Water Right Claim No. 1023-3, Spink County Dam, to the James Diversion Dam with a priority date of 1937.

2495 acre feet of new storage in the James Diversion Dam with a priority date of March 28, 1963.

Water Right No. 1027-3 requires 20 cfs of inflow to the reservoir to be bypassed for downstream domestic use.

3. The water is stored by the Bureau of Reclamation for the City of Huron. Transfer of the Water Right can be accomplished, without any affect on the priority date, by filing a transfer form and the necessary fees with the Division of Water Rights. Since there may be a contract between the City of Huron and the Bureau of Reclamation, the Bureau of Reclamation would have to agree to any transfer.
4. U.S. Withdrawal No. 1-3, for the Sand Lake National Wildlife Refuge, was filed with the State Engineer on October 30, 1934. The water right claims all the flows of the James River and its tributaries lying within the boundary of Brown County, South Dakota. After construction, the examination of works for the water right stated that Houghton and Columbia Dams provided for water use on 11,347 acres, a total storage of 27,021 acre feet and a total seasonal use of 34,041 acre feet. A certificate of construction of works and appropriation was issued by Dean Loucks, State Engineer, on May 22, 1945, for a maximum amount of 34,041 acre feet during the period of January 1 to December 31, with a

May 25, 1990
Merle D. Lewis, Chairman
Page 3

priority date of October 16, 1934. A second certificate of construction of works and appropriation was issued by Dean Loucks on June 12, 1945, for an annual amount of 61,062 acre feet which we believe replaced the May 22, 1945 certificate.

In 1952, the Bureau of Reclamation inquired about the actual quantity of water granted by U.S. Withdrawal No. 1-3. On April 12, 1952, the State Engineer, Dean Loucks, sent a letter to the Honorable W. J. Burke, Regional Counsel of the Bureau, relative to the inquiry. Mr. Loucks arrived at 30,740 acre feet as the approximate amount. He also stated that this was not a clear cut figure but represents as nearly as possible the amount of water required to operate the refuge.

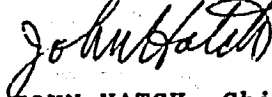
US Withdrawal No. 1-3 allows the US Fish and Wildlife Service to fill Sand Lake Wildlife Refuge annually to the outlet elevations of Houghton and Columbia Dams. In addition, US Withdrawal No. 1-3 also authorizes irrigation of 5,927 acres of habitat area up to 3 acre feet of water per acre.

5. Sand Lake Wildlife Refuge has no obligation to release water that was legally stored to satisfy US Withdrawal No. 1-3. If there are inflows from the James River to the Refuge, these inflows or portions of the inflows may have to be bypassed.
6. The City of Huron Water Right Claim No. 9-3 for 5.0 cfs is senior to Sand Lake Wildlife Refuge Water Right. Therefore, Sand Lake should bypass 5.0 cfs. However, the travel time and river conditions from Sand Lake to Huron makes this bypass impractical in most cases.
7. I am not sure what you mean by correlation. The more water that is held or withdrawn in North Dakota, the less water that will be available for South Dakota.
8. There is no compact agreement between South Dakota and North Dakota.
9. Any proposal to pump groundwater into surface water would have to be made through an application. The application would be processed in the same manner as any other water permit application. There is a "best use of water" problem with pumping groundwater into a surface reservoir where up to 50% of the water can be lost to evaporation.
10. We have not supported pumping groundwater to a surface water supply in the past, nor has the Water Management Board.

May 25, 1990
Merle D. Lewis, Chairman
Page 4

If you have any other questions, please contact us.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 1022-3

Date of Receipt of Claim February 21, 1963.

Date of Validation March 4, 1992.

The Water Management Board validated Vested Water Right Claim No. 1022-3 for the City of Huron, Box 1369, Huron, South Dakota 57350 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1022-3 appropriates 2320 acre feet of water per year from the James River with the point of diversion located in the SE1/4 NE1/4 Section 6, T110N, R61W.
2. The appropriated water is used for supplying water for the City of Huron and may not exceed the amount of water needed for beneficial use for municipal purposes.

The water is to be used during the following annual period:
January 1 - December 31

3. The priority date of the Vested Water Right is: January 1, 1936.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water Rights obtained in compliance with the laws of the State of South Dakota must not be unlawfully impaired by this appropriation.

QUALIFICATION

This permit is for the storage in the 3rd Street dam, and excludes the additional storage authorized under Permit 755-3.

WATER MANAGEMENT BOARD

By: 
Chief Engineer

MAY 12 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

MAY 12 1992

City of Huron
Roger Voigt, Finance Officer
Box 1369
Huron SD 57350

Dear Mr. Voigt:

The Water Management Board has validated the enclosed Vested Water Right No. 1022-3. This validation gives legal status to the claim and is the final document for your vested right.

As long as you use the water beneficially, as stated in the validation, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosure

NOT TO SCALE

6)

6)

6 378-77R

66.0

715-61

6)

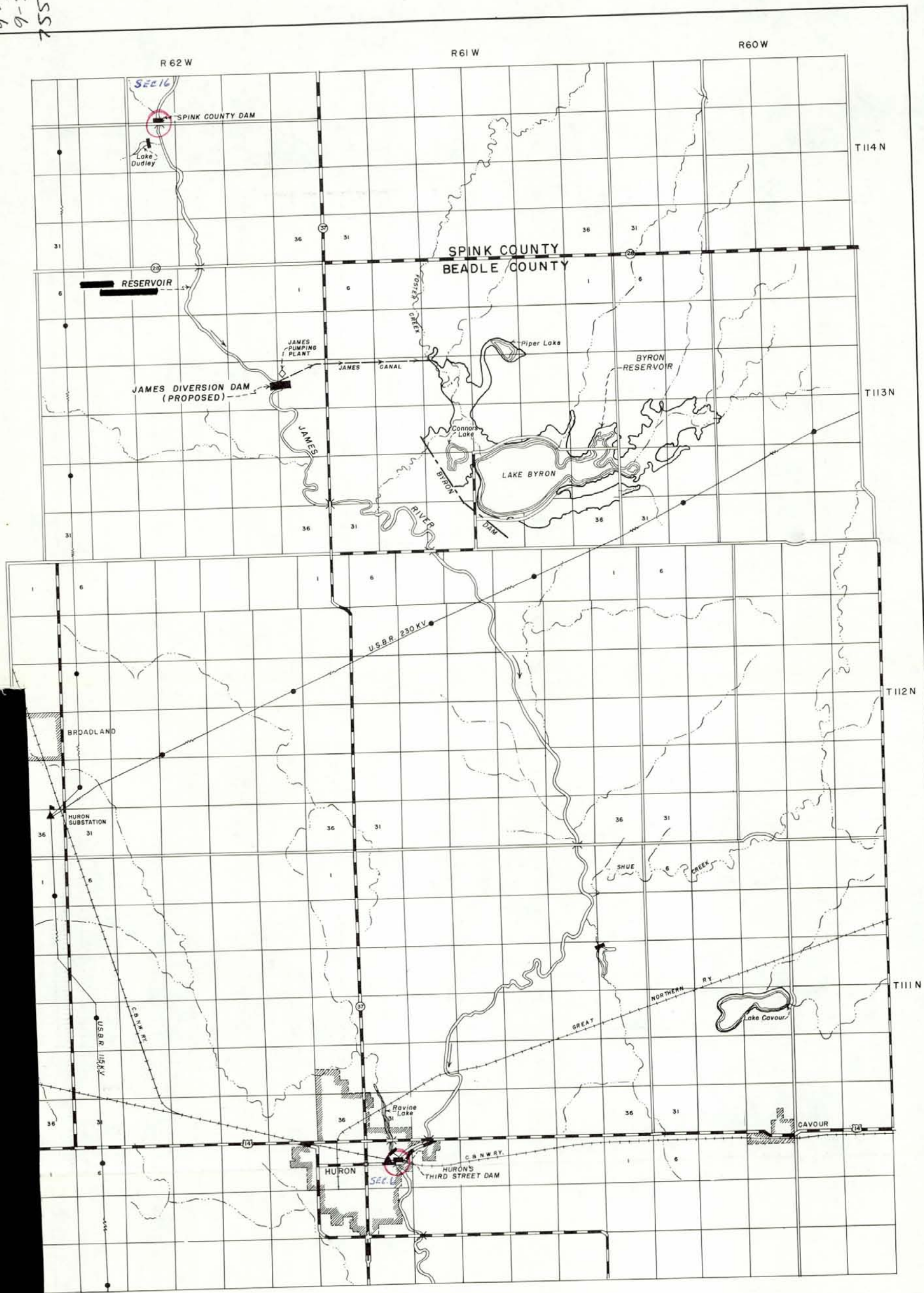
Ron Duvall
Natural Resources Eng
5/2/85

License No. 9-3
9-3A
755-3
1022-3

378-77R

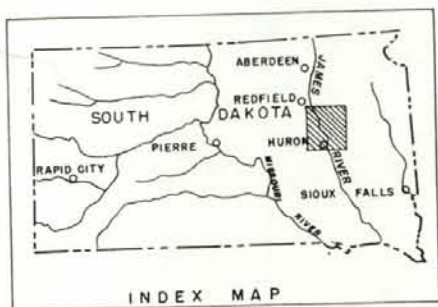
App. # 1022-3
 1027-3
 9-3
 9-34
 755-3

V/R Permit # 1022-3



- LEGEND:
- Dam and Reservoir (Potential)
 - James Diversion Dam (Proposed)
 - Canal (Potential)
 - Pumping Plant Site (Potential)
 - Stream Gaging Station
 - Hard Surfaced Highways
 - Secondary Roads
 - Substations
 - Transmission Line

SCALE OF MILES
 0 1 2 3



UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF RECLAMATION
 MISSOURI RIVER BASIN PROJECT
 JAMES DIVISION-OAHE UNIT-S. DAKOTA
BYRON SECTION
 PROPOSED AND POTENTIAL FEATURES

1022-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 27, 2021

Dear James River Water Right Holder:

I am writing to water right holders and operators who use water from the James River that river flow is much lower this year and to let them know that shutoff orders are possible this summer.

South Dakota law gives the highest priority to domestic use, including livestock watering. There is generally adequate water available to meet both domestic use and other needs. However, once water availability reaches critical low levels, other uses will begin to interfere with domestic use. If river levels become critically low, the department may be forced to issue shutoff orders to protect domestic use, including livestock watering and those water rights that are most senior.

We are only cautioning that shutoff orders may become necessary. **This not a shutoff order.** This letter is only intended to give you advanced warning that your ability to divert water may be cut short this year. If shutoff orders are issued, you will receive another letter from the department. In the meantime, water right holders can help by closely monitoring water usage and avoid wasting water.

If you are interested, the US Geological Survey has an Internet site showing river flows at 164 stream gauging stations across the state. To view the latest realtime stream flow, go to:

<https://waterdata.usgs.gov/sd/nwis/current/?type=flow>

Thank you for your cooperation. If you have any questions, please contact Mark Rath, Blaise Hansen, or Nakaila Steen at (605) 773-3352.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program