

1125-3

1. Considered 9-16, 1954
2. Name of Applicant CHESTER GILLIESON
3. Post Office Address BATH
4. Amount of Water Claimed 1.98
5. Source of water supply JAMES RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 139
7. Water to be diverted and used in BREITAN County about  
9E 2N Miles of ABERDEEN
8. Proof of Publication Received ✓  
Not Received \_\_\_\_\_
9. Application Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not Approved \_\_\_\_\_  
Action deferred \_\_\_\_\_

10. Remarks:

*Approval of permit cancelled Permit 571-3*

No.

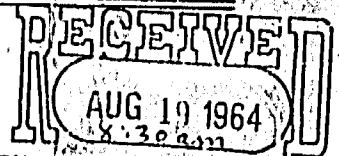
1125-3

Water Division No.

3 James River

District

(Blanks to be filled by the Engineer for the W. R. C.)



## APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

## To Appropriate Water within the State of South Dakota

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

1. Name of applicant Chester Gullikson  
 Postoffice address Full, County Brown, State S. D. A.

- I. If a corporation \_\_\_\_\_  
 (a) Name of same \_\_\_\_\_  
 (b) Date and place of incorporation \_\_\_\_\_  
 (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)  
 \_\_\_\_\_  
 (b) Cash on hand, \$ \_\_\_\_\_ (c) Treasury stock, \$ \_\_\_\_\_  
 (d) Bonds to be issued, \$ \_\_\_\_\_ (e) Other resources, \$ \_\_\_\_\_

2. Name of diversion work Chester Gullikson Irrig. #1  
 3. Amount of water claimed 2.0 1.98 maximum allowable cubic feet per second  
 4. Source of water supply James River  
 5. Location of point of diversion 150 Rods N 510 E from the SW corner  
SE 1/4 SW 1/4 of Sec. 3 123 - 62 on West bank Brown County.  
 6. Annual period or periods during which water is to be used April to Nov.  
 7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity  
 (a) Number of acres to be irrigated 130 acres.  
 (b) Legal subdivisions to be irrigated (Attached on separate sheet)  
 (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.) None

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

- (a) Nature of use None  
 Name any of the above uses claimed \_\_\_\_\_  
 (b) Amount of power to be generated \_\_\_\_\_ horse power.  
 Amount claimed for engine cooling \_\_\_\_\_  
 (c) Location of plant \_\_\_\_\_  
 (d) Method of developing power \_\_\_\_\_  
 (e) Point where water will be returned to stream \_\_\_\_\_

May No. 433-3

## 8. Estimated cost of work:

(a) Head-Gates, \$-----

(b) Pumping plant, \$1000-----

(c) Fluming, \$-----

(d) Canal-earth, \$200-----

Road, \$-----

(e) Other structures ----- \$-----

Total, \$1000-----

## 9. Description of diversion works:

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

## II. Dimensions of works,

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top ----- feet; slope at front water face -----; slope at back face -----  
 material used in construction -----

(b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater mark ----- acres.

| DEPTH AT<br>OUTLET-Feet | SURFACE AREA AT EACH<br>DEPTH AT OUTLET--ACRES | FEET | ACRE-Feet<br>CAPACITY |
|-------------------------|------------------------------------------------|------|-----------------------|
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |

(c) \* Head gate: Width ----- feet; height ----- feet;  
 Material -----

(d) Canal: Total length 1.5 miles.

| LOCATION BELOW<br>HEADGATE | DEPTH      | BOTTOM<br>WIDTH | WIDTH AT<br>WATER-LINE | GRADE<br>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 ----- 5 years.11. Time required for complete application of water to the proposed beneficial use ----- 4 years. additional -----

12. Choice of newspaper for publication of notice of intention to appropriate -----

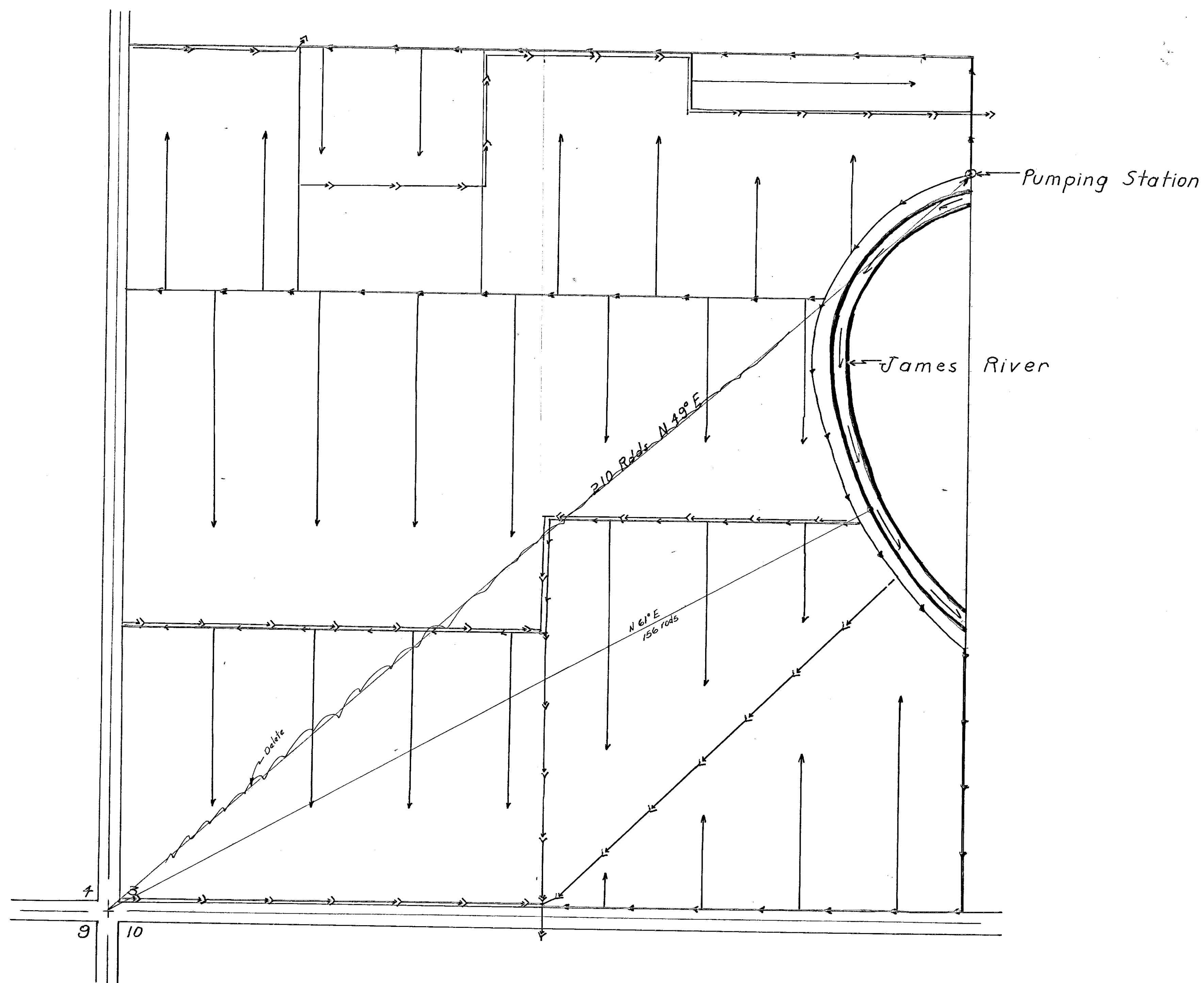
Abbeville American News

STATE OF SOUTH DAKOTA

County of Brown } DS.

I, Charles H. Sullivan, 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.

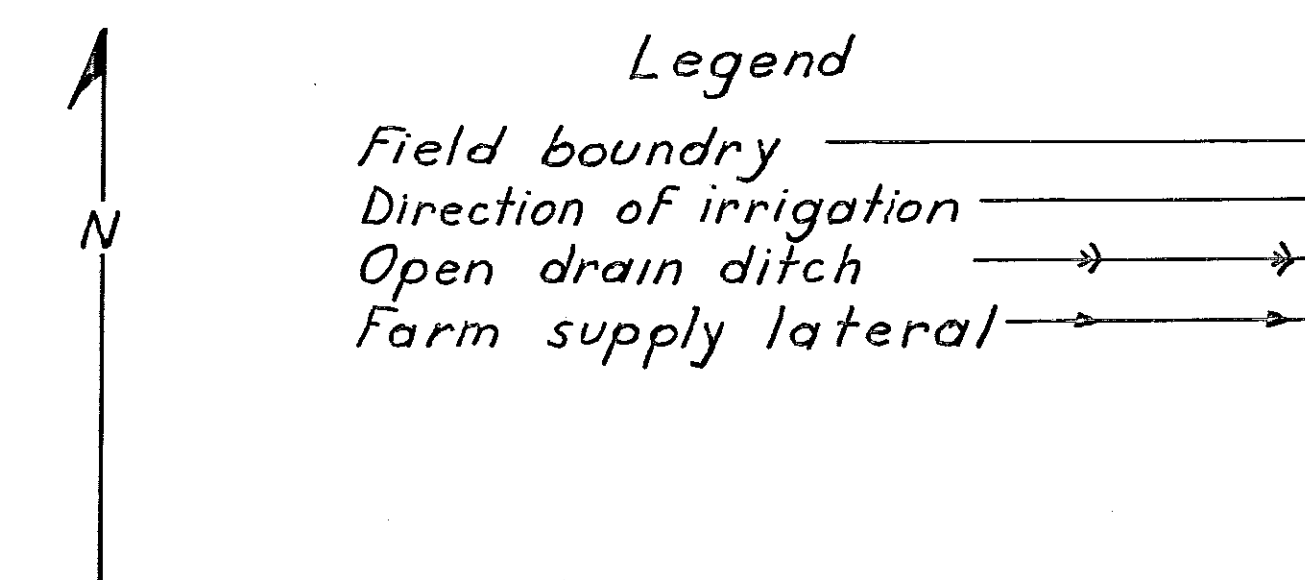
Signed Charles H. SullivanSubscribed and sworn to before me this 18 day of August 1914William P. Pomeroy  
Notary Public (or other qualified officer.)



| Lands to be Irrigated |      |       |       |        |
|-----------------------|------|-------|-------|--------|
| Location              | Sec. | Twp.  | Range | Acres  |
| SW 1/4 - SW 1/4       | 3    | 123 N | 62 W  | 38     |
| SE 1/4 - SW 1/4       | 3    | 123 N | 62 W  | 36     |
| NE 1/4 - SW 1/4       | 3    | 123 N | 62 W  | 31     |
| NW 1/4 - SW 1/4       | 3    | 123 N | 62 W  | 39     |
| Total                 |      |       |       | 139.60 |

I, Odell A. Aldrich, Agricultural Engineer,  
Soil Conservation Service, Certify that  
this survey was done under my  
supervision and is correct. Odell A. Aldrich

Notary Public  
My Commission Expires



Scale 1" = 200'

Chester Gullickson #1 Irrigation  
Project  
U. S. D. A. Soil Conservation  
Service

Chester Gullickson Bath S. D.  
Brown County So. Dak. June 23, 1958

Map No. 433-3 (Appl. No. 571-3)  
1125-3

Remarks by State Water Resources Commission:

Natural flows in the James River are not a dependable source of water during the latter part of the summer season. It is likely that water diversion restrictions under this Permit to Appropriate Water will be necessary at times to assure domestic water supplies, including stockwater, and water supplies for prior water rights.

STATE OF SOUTH DAKOTA  
County of Hughes } ss.

Pierre, South Dakota, September 28, 1964

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock  
a.m. upon the 19 day of August, 1964.

State Water Resources Commission

By: Donald Quiscall  
Cor. Chief Engineer, Executive Officer

Number of permit 11253

Date of first receipt of application August 19, 1964

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 August 19, 1964

Approved September 16, 1964, Recorded in Book 8 Page 260

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 \_\_\_\_\_

March 16, 1967

2nd. The whole of said work is to be completed on or before September 16, 1969

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

September 16, 1973

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

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 1.98 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 exercise 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

and beneficially applied for irrigation on or before September 16, 1973; said water to be used during the following described annual period

April to November

Witness my hand this 5 day of October, 1964

State Water Resources Commission

By: Donald Quiscall  
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 8, 1970

Water License Issued OCTOBER 8, 1970

# Lands to be Irrigated

| Location                           | Sec. | Twp.  | Range | Acres   |
|------------------------------------|------|-------|-------|---------|
| SW $\frac{1}{4}$ -SW $\frac{1}{4}$ | 3    | 123 N | 62 W  | 38      |
| SE $\frac{1}{4}$ -SW $\frac{1}{4}$ | 3    | 123 N | 62 W  | 36      |
| NE $\frac{1}{4}$ -SW $\frac{1}{4}$ | 3    | 123 N | 62 W  | 31      |
| NW $\frac{1}{4}$ -SW $\frac{1}{4}$ | 3    | 123 N | 62 W  | 34      |
| Total                              |      |       |       | 139 Ac. |

(1) WHEREAS, On the 19th day of August A. D. 1970  
Chester Gullikson

(2) WHEREAS, On the 5th day of October A. D. 1964  
Permit No. 1125-3, with a date of priority of August 19, 1964

was issued to said applicant \_\_\_\_\_ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 16th day of September A. D. 1969 and for the application to beneficial use of said water on or before the 26th day of September A. D. 1973

(3) WHEREAS, it is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.98 cubic feet per second of water for beneficial use and,

for irrigating the following land in Section 3, T123N, R62W

**Total**      **139 Acres**

(5) 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 Chester Cullikson

\_\_\_\_\_ of Bath, South Dakota

the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 1125-3 a water right, dating from August 12, 1970

\_\_\_\_\_ to use of 1.98 cubic feet per second of the waters

of the James River

in the County of Brown and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point 156 rods N. and 610' E., of the SW

Corner, SE 1/4 SW 1/4, Section 3, T123N, R62W

and conduct to and upon portions of the SW 1/4, Section 3, T123N, R62W, described on the face  
of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 1125-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 8th day of October A. D.

Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 1125-3

Water Diversion No. 3 James River Water District

### CERTIFICATE OF CONSTRUCTION

This is to Certify, That Chester Gullikson

\_\_\_\_\_ the holder \_\_\_\_\_ of  
Permit No. 1125-3, issued upon Application No. 1125-3, bearing date of priority of August 19,  
1964 authorizing the diversion of 1.98 cu. ft. per second of the waters of \_\_\_\_\_  
the James River County of Brown, State of South Dakota at \_\_\_\_\_  
a point 156 rods N. and 610' E. of the SW Corner, of the SE 1/4 SW 1/4, Section 3,  
T123N, R62W

\_\_\_\_\_, for irrigation

purpose he 8 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 found in satisfactory  
condition for diverting and conveying to the place of intended use 3.56 cu. ft. per second of water.

Date October 8, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }  
County Brown } ss.

Marjorie Schumacher being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the \_\_\_\_\_  
Aberdeen American-News a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the  
City \_\_\_\_\_ of Aberdeen County of  
Brown and State of South Dakota; that the said notice was published in said newspaper on the following dates:

August 21-28

September 4-11-1964

In each and every issue of the full number thereof, the first publication being made on the 21st day of August 1964 and the last publication on the 11th day of September 1964, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Clerk the printer and publisher of the said newspaper.

Marjorie Schumacher

Subscribed and sworn to before me this 11th day of September A. D. 1964

Edgar F. Fisher

Notary Public Brown County, S. D.

(No. 452 — Aug. 21-28 Sept. 4-11 — 47)  
APPROPRIATION OF WATER  
No. 1125-2.  
Office of State Water Resources Commission.  
Pierre, S. Dak., August 19, 1964.  
Notice is hereby given that Chester Gullikson, whose postoffice address is Bath, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.98 cubic feet of water per second of time from the James River through the Chester Gullikson Irrigation Project No. 1, the point of diversion of which is to be located on the west bank of said stream in the S.E. 1/4 of the S.W. 1/4 of Section 3, Twp. 123N., Range 62W. Said water to be used for the purpose of providing irrigation on a portion of the following described land:  
SW 1/4, Section 3, T123N., R62W.  
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16th day of September, 1964, at 2 p.m. All interested persons may appear and be heard.  
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.  
State Water Resources Commission,  
By: Burton F. Jones,  
Water Right Specialist.

RECEIVED  
SEP 14 1964  
STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

on or before  
(First Publication August 24, 1964)

## APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., August 19, 1964

Notice is hereby given that Chester Gullikson whose postoffice address is Bath S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.98 cubic feet of water per second of time from the James River through the Chester Gullikson Irrigation Project #1, the point of diversion of which is to be located on the west bank of said stream in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 3 Twp. 123N Range 62W a portion of said water to be used for the purpose of providing irrigation on the following described land:

SW $\frac{1}{4}$ , Section 3, T123N, R62W

~~XXXXXXXX~~

~~purpose.~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16th day of September, 1964, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

CC: Henry J. Schmitt, Publisher  
Aberdeen American News  
Aberdeen, S. Dak.

BURTON F. JONES  
Water Right Specialist



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE  
BUREAU OF SPORT FISHERIES AND WILDLIFE

ABERDEEN AREA ACQUISITION OFFICE  
115 FIFTH AVENUE S.E.  
ABERDEEN, SOUTH DAKOTA 57401

Mr. Joseph Grimes  
Water Resources Commission  
Pierre, South Dakota

August 2, 1966

WP-RB-General

Dear Joe:

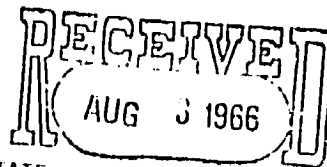
Would you please notify me if Mr. Chester Gullickson of Brown County holds a valid permit to remove water from the James River to irrigate land within Section 3, T. 123 N., R. 62 W., 5th P.M.

I presume, if he holds a permit, that he is required to by-pass some of the river flow. Would you please indicate how many c.f.s. the permit stipulates that he by-pass.

Sincerely yours,

*James G. Sieh*  
James G. Sieh  
Wildlife Biologist

JGS/ba



STATE WATER RESOURCES COMM.  
PIERRE SOUTH DAKOTA

1125-3

August 3, 1966

Mr. Jim Sieh, Wildlife Biologist  
Fish and Wildlife Service  
115 Fifth Avenue, SE  
Aberdeen, S.D.

Your Ref: WP-FB-General

Dear Mr. Sieh:

Reference is made to your letter of August 2nd regarding a permit to pump water from the James River by Chester Gullikson.

Mr. Gullikson holds permit 1125-3 to pump 1.98 cfs of water from the James River for irrigating 139 acres in the SW $\frac{1}{4}$  Section 3, T123N, R62W.

No definite amount of water to be by-passed was specified in the permit. The following restrictive clause is noted on the permit:

"Natural flows in the James River are not a dependable source of water during the latter part of the summer season. It is likely that water diversion restrictions under this permit to appropriate water will be necessary at times to assure domestic water supplies, including stockwater, and water supplies for prior water rights".

Should you have further questions, feel free to contact this office.

Sincerely,

BURTON F. JONES  
Water Right Specialist

BFJ:mf

Mr. L.

Mr. L F Kulick  
Federal Land Bank of Omaha  
Bk 1242

Omaha

68101

W/R 1125-3 Chester Sullivan  
Esq. S. D.

Mr. Kulick would like to have  
you write to him in regards  
to this permit. The question  
he specifically wants answered  
is "During July and August  
under what kind of conditions  
will this man be shut down,  
if he could possibly be and  
how dependable this source  
of water is - "in future years,"

He asked about stream flow  
etc.

He stated he was in Aberdeen  
and would like to have you  
write to him in Omaha so  
he could act on it when  
he returned.

Betty

He knows about the clause on  
the W/R but was concerned  
about the stream flows in the  
James River.

September 22, 1967

Mr. L. G. Kulish  
Federal Land Bank  
P. O. Box 1242  
Omaha, Nebraska 68101

Dear Mr. Kulish:

By telephone September 12, 1967 you requested information concerning the dependability of the water supply in the James River for irrigation of lands under Water Right Permit 1125-3, Chester Gullickson.

The Permit contains an evaluation of the water supply stated as follows: "Natural flows in the James River are not a dependable source of water during the latter part of the summer season. It is likely that water diversion restrictions under this Permit to Appropriate Water will be necessary at times to assure domestic water supplies, including stockwater, and water supplies for prior water rights".

During average runoff-years, water supplies can be expected to be adequate for the irrigation season with perhaps some tolerable shortage following the first part of August. During years of lesser run-off, shortages will exist, more severe during August but including July also. The year 1959 was such a year when restrictions were applied. This year adequate supplies were available.

For future years, the expectancy is better water supply conditions. Addition of the proposed Pipestem Creek flood control storage to the present like detention at James own Reservoir in North Dakota. Construction of the Oahe irrigation project and other facilities under investigation should add to the present water supply in the James River.

I hope that this information is helpful.

Sincerely,

J. W. Grimes

JWG/sjb

Permit No. 1125-3Water Division 3 JAMES RIVER Water District

**REPORT OF EXAMINATION OF WORKS  
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Chester  
Gullikson of Bath holder  
of Permit No. 1125-3, bearing date of priority of August 19, 1964  
authorizing the diversion of 1.98 cu. ft. per second of the waters of the James River  
for irrigation purposes purposes, in Brown County.

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

The Water Use System consists of,

## A. Works used to divert the water:

Lane and Bowler 10" pump Mod. V9975  
G.E. Electric Motor, Mod. No. 5K6236XH 19A, 20 HP  
upgraded to 25 HP

## B. Works used to transport water to place of use,

100 feet of 10 inch steel pipe

## C. Works used to apply water to beneficial use.

3800 10 inch gated pipe  
800 8 inch gated pipe  
land leveling

The system is in the following condition: Extremely efficient

The point of diversion is located 156 rods north and 610 feet east of the SW corner of  
SE $\frac{1}{2}$  SW $\frac{1}{2}$ , Section 3, T123N, R62W

The works are capable of diverting and conveying to the place of use 3.56  
cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: all SW $\frac{1}{2}$ , Sec. 3, T123N, R62W

|                  |          |
|------------------|----------|
| SW $\frac{1}{2}$ | 38 acres |
| SE $\frac{1}{2}$ | 36 acres |
| NE $\frac{1}{2}$ | 31 acres |
| NW $\frac{1}{2}$ | 34 acres |

comprising a total of 139 acres of land.

Date September 24, 1970

Donald Driscoll  
(Signature)

DONALD DRISCOLL, Deputy Chief Engineer  
Water Resources Commission

2-27-71

LESTER GULLIKSON CALLED  
JOHN SIEH & CREW KICKING UP  
A FUSS ABOUT GULLIKSON'S  
CROSSING DAM - WANTS TO  
KNOW IF WE CAN SEND HIM  
SOME COPIES OF OUR STUDY  
ON HIS DAM -

ALSO - A MEETING OF THE  
JAMES RIVER FLOOD CONTROL BOARD  
IS TO MEET AT THE NORFOLK  
ELECTRIC BUILDING @ BATH  
ON SAT NIGHT - MARCH 2

WANTS TO KNOW IF SOMEONE  
FROM THIS OFFICE SHOULD BE  
THERE



**Department of  
Water & Natural Resources**

Joa Foss Building  
Pierre, South Dakota 57501

Water Rights, Water Management Division  
(605) 773-3352

June 10, 1980

1125-3  
Chester Guilikson  
Bath, SD 57427

Because of increased flows in the James River (80 cfs June 10, 1980 at Huron) which appears to be adequate to satisfy all authorized uses, the order to cease withdrawals from the James River between the North Dakota - South Dakota State Line and the 3rd Street Dam in Huron is rescinded effectively immediately. Withdrawals in this reach of the river are authorized until 12:00 noon June 26, 1980 subject to flows remaining above 20 cfs at Huron. An extension to this period of authorized pumping may be granted if the flows are maintained with additional runoff. This office will monitor the flows prior to June 26, 1980 to determine if an extension can be granted. If no word is received from this office, then no withdrawals shall take place after noon on the 26th of June.

This order is issued in accordance with South Dakota Water Laws which require the Board to control and regulate all waters of the State to assure water for domestic supplies and prior water rights.

Please govern your use of irrigation water under your Water Permit in accordance with this order. If you have any questions, do not hesitate to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights, WMD

JH/JW/gy

*Equal Opportunity Employer*

GULLIKSON CROSSING SEC 3, T123N, R62W  
TULLIS CROSSING - SEC - 123N, R62W

A CHECK WITH THE ORIGINAL PLATS  
AT SCHOOL & PUBLIC LANDS INDICATE  
THE JAMES RIVER IS NOT MEANDERED  
IN THIS TOWNSHIP.

A CHECK WITH THE REGISTER OF DEEDS  
OF BROWN COUNTY

SHOWS 4 ENTREES ON S<sup>2</sup> SEC 3, ALL  
DATED IN OCTOBER 1881

SHOWS 2 ENTREES ON SW<sup>4</sup> SEC 23.  
BOTH DATED DECEMBER 1883

Gullikson Crossing S<sup>2</sup>  
SECTION 3, T123N, R62W  
OCT 1881  
4 entries  
Tullis Crossing  
SECTION 23, T123 R62W  
SW<sup>4</sup> SW<sup>4</sup> ~~SECTION~~  
December 1883

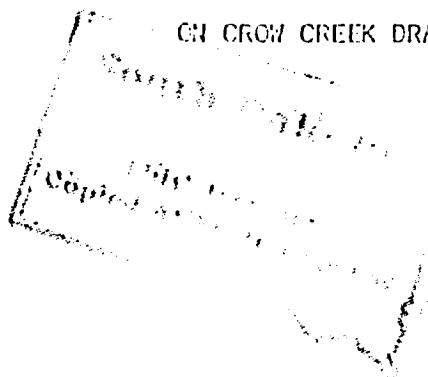
THE JAMES RIVER IS NOT MEANDERED  
IN THIS TOWNSHIP

225 -  
3123

REGISTER OF DEEDS OFFICE  
ABERDEEN -

- 1959 When was Crossing originally installed?  
— Was the 1959 work. a rebuilding of an earlier Crossing?  
— No Prescriptive rights exist?  
— Crossing predates with right even if originally constructed in 1959 - Priority for Tr R #1125-3 is 1964

REPORT  
ON THE EFFECT  
OF GULLICKSON'S CROSSING  
ON CROW CREEK DRAIN



Rough Draft

MEMORANDUM

TO : The File

FROM : Dean Bosley, Water Resources Engineer II

DATE : 18 July 1980

Gullikson Crossing (G.C.) was first constructed in 1959 with a 30" C.H.P. to pass on low flows. In 1969 controversy concerning the affect of G.C. which is located 11 river miles below the Crow Creek Drain (C.C.D.) structure, lead to a survey requested by the Brown County commission. July 2, 1970 a 58" x 36" C.H.P.-Arch was installed to further facilitate movement of low flows.

As a result of the request of the Brown County commission, Boyd & Doran Highway Consultants submitted a survey report to them on July 2, 1969. The actual survey was taken June 17, 1969. The survey revealed the following facts:

- 1) High Water Mark at C.C.D. at 9:30 A.M. was 1280.2 H.S.L.
- 2) High Water Mark at G.C. at 9:00 A.M. was 1277.66 H.S.L.
- 3) Bottom elevation of C.C.D. gates 1270.6 H.S.L.
- 4) Low Point in G.C. was 1273.2 H.S.L.

In July of 1970 the Water Rights Dept. of the D.W.N.R. conducted another survey of the G.C. & and C.C.D. The following conditions were observed & recorded:

- 1) Low point in G.C. is 1272.37 H.S.L.
- 2) Bottom gate elevation at C.C.D. is 1270.75 H.S.L.
- 3) Two pipes exist in C.C. 1-30" C.H.P. and 1-36" x 36" C.H.P. Arch.
- 4) A 1.5' water elevation difference is present between the upstream and downstream water level at G.C.
- 5) A silt deposit approximately 170' in length at an elevation of 1272.31 H.S.L. has developed between the outlet of the C.C.D. and its confluence with the James River.

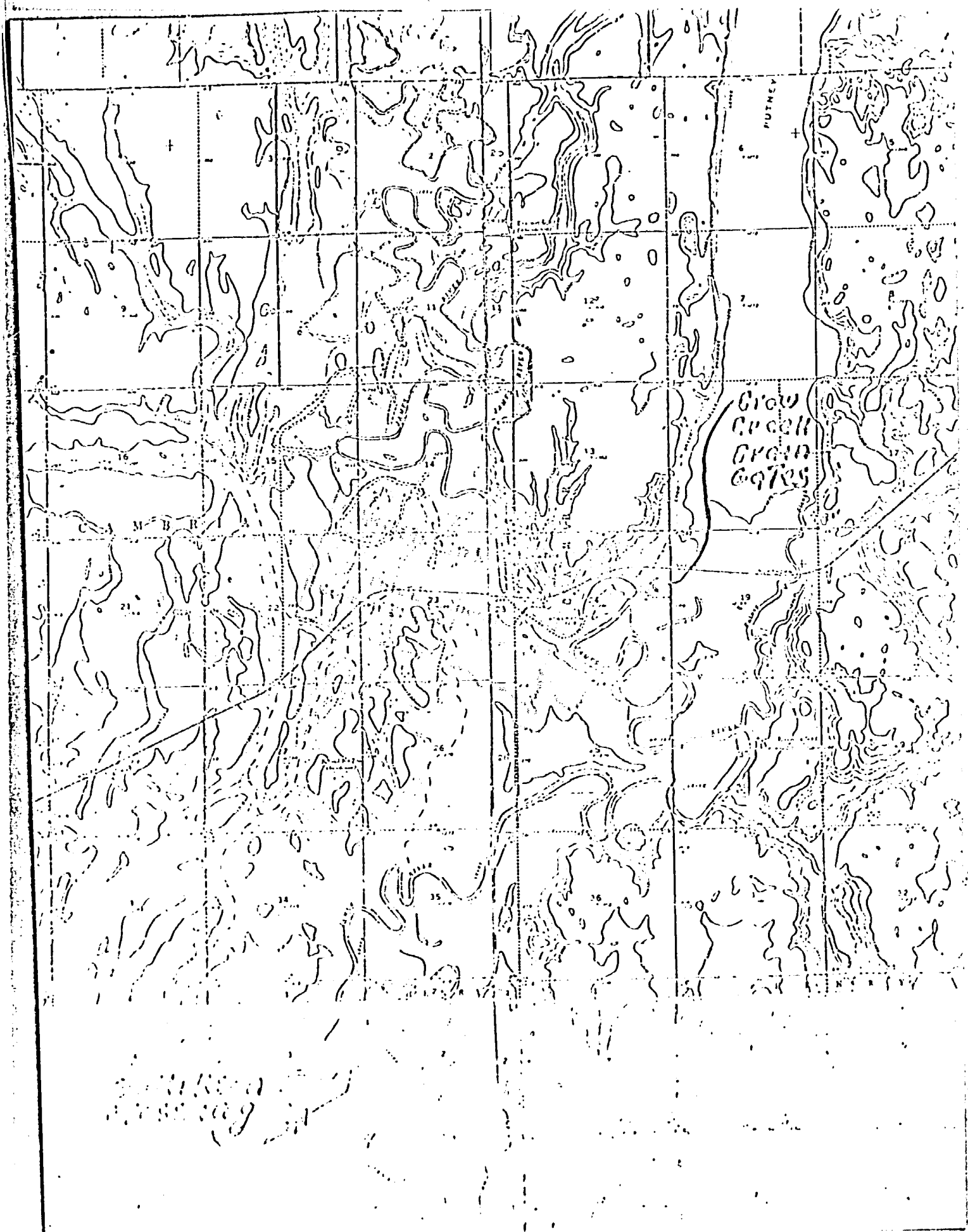
The arch installed by the T.H. Co. was located at the outlet of the C.C. survey was conducted and it was observed to contain 2 - 36" C.H.P. to pass on low flows. It was observed to hinder fish migration. Gullikson Crossing is located 3 miles upstream from C.C.

The Water Development Department of D.W.N.R. had made the following conclusions concerning the two surveys conducted.

- 1) Since the Boyd & Duran survey was taken during high flow conditions and the DWNR survey taken during low flow conditions both ends of the flow spectrum were covered.
- 2) Since during overbank flows the High Water Mark at C.C.D. is 2.54' higher than the High Water mark at G.C. there is a point of control located between the C.C.D. and the G.C., i.e. Mr. Dean Bosley of the Water Development Dept. on July 17, 1980 observed from an aerial survey, 14 log jams of considerable size between Tacoma Park & Mollette.
- 3) At the instant water overtops G.C. the water elevation at C.C.D. would be .56' above the top of the sill delta at the confluence of C.C.D. and the James River. This is not a significant amount to cause any kind of serious backwater condition @ C.C.D.
- 4) Hydraulic analysis of the 2-36" culverts at Tullis Crossing indicates they can pass 62 cfs at a no head condition. The 2 pipes at the G.C. can pass 67 cfs at no head condition. The S.D.G.F. & P. Department and the U.S. Fish & Wildlife concurred with the Corps of Engineers on the size of the culverts in the Tullis Crossing so G.C. culverts should be adequate to satisfy these organizations.
- 5) The C.C.D. is poorly maintained. The ditch is full of growing trees and brush. The sill delta that has formed below the outlet gates is 1.5' higher than the outlet gates. Two of the 4 gates are not operational. Six miles upstream are a set of head gates which are rusted solid in an open position and therefore nonfunctional.

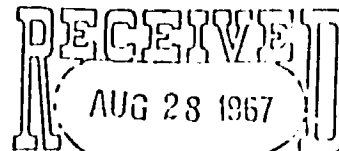
In conclusion, as a result of the information obtained from the Boyd and Duran Survey and the Water Rights survey, it is our feeling that G.C. has little or no affect on flow conditions at the C.C.D. whether the James River is experiencing high or low flow. These conclusions are verified by a similar, however, more complete analysis conducted by M.P.R.S.

893507db



UNITED STATES DEPARTMENT OF AGRICULTURE  
SOIL CONSERVATION SERVICE

Huron, South Dakota 57350  
P. O. Box 1357  
August 23, 1967



STATE WATER RESOURCES COM.  
PIERRE, SOUTH DAKOTA

Mr. Joe Grimes  
Chief Engineer  
South Dakota Water Resources Commission  
Pierre, South Dakota

Dear Mr. Grimes:

Attached is the material you requested regarding the  
Crow Creek Watershed map of the watershed and the  
Suspension Report.

Please let us know if we can be of further assistance.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "E. C. Bjorklund".

E. C. Bjorklund  
Assistant State Conservationist

Attachments - 2

Drainage Area (sq. mi.)

Time of Base (Hr.)

5  
10  
100

180  
210  
350

$$\text{Time to peak} = T_b/3 \quad q = \frac{430 A Q}{T_p}$$

A = Sq. Mi.      Q = Inches runoff      q = cfs

Runoff curve numbers for hydrologic soil cover complexes were compiled from information taken from ASC records of land use and a field check by work unit personnel.

Frequency methods, as described in NHD-4A, were used to analyze rainfall and streamage data.

Extensive interviewing of local people was done to determine what areas were essentially non-contributing for surface runoff.

Valley sections were surveyed in the field and were also taken from 5-foot contour interval topographic maps (USGS).

#### Evaluations

The Upper and Lower Crow Creek Watersheds were separated into 17 sub-areas for hydrologic computations. Twenty-three routing reaches were used in routing for evaluation purposes.

A 37-year record of station data, at Britton, South Dakota, was used to compile maximum annual daily storms.

The watershed soil cover complex number under present conditions is 72. Planned land treatment practices will reduce this to 71.

The following table relates runoff to daily rainfall:

| Freq. (Yr.) | Daily Rainfall (In.) | Runoff        |              |
|-------------|----------------------|---------------|--------------|
|             |                      | Present (In.) | Future (In.) |
| 100         | 4.7                  | 2.0           | 1.9          |
| 50          | 4.2                  | 1.6           | 1.5          |
| 25          | 3.7                  | 1.3           | 1.2          |
| 10          | 3.1                  | 0.9           | 0.8          |
| 5           | 2.6                  | 0.6           | 0.5          |

The stream gage at Columbia, South Dakota, on the James River, was studied to determine the frequency of bankfull flow at the outlet of Crow Creek. A ten-year record, 1946-1955, was all that was available at the time of the study in 1959. Although 10 years is not a sufficient length of record, indications are that the James River has full bank flow every two or three years. Its capacity at full bank flow is approximately 1200 cfs.

The bottom sea level elevation in the James River, at the point where Crow Creek outlets, is 1272.0; bank elevation is 1283.5. Since there is only a raise of 3.0 feet in 15 miles in the outlet channel of Crow Creek, it appears that the stage in the James should be below 1275.0 in order to provide a satisfactory outlet for Crow Creek. In 5 years out of ten, the stage in the James River is above 1275.0 by June 1, and in two years out of ten, it is above 1275.0 by August 1. This is the original reason for gated storage in the reservoirs - - a poor outlet for Crow Creek.

A 27-year stream gage record at Big Stone City, South Dakota (1931-1957) on the Mhetstone River, was investigated. Studies show that the 25-year frequency annual runoff volume compares favorably with that obtained by K. M. Kent for the Sisseton Hills area, namely 3.25 inches runoff. The 2-year, 5-year, and

10-year volumes are, respectively, 0.93 inch, 1.70 inches, and 2.3 inches.

This gage was also used to determine gated storage requirements.<sup>1/</sup>

In three years out of 27, the accumulated runoff from January 1 to August 1 exceeded 3.2 inches. Frequency analysis shows that 3.2 inches is approximately equal to a 10-year frequency event for this period of runoff (January - August).

Water surface profiles, under present conditions, have been computed on the main channel and on all tributaries to an extent sufficient for evaluation under present conditions. Numerous other profiles have been computed for improved channel, which for the most part, included levees with control structures. Profiles with levees and no control structures have not been computed, since this was a rather recent change in the structural program.

Two summer storms have been routed under present conditions and six routings have been made with various combinations of the structural program. Stream routings for snowmelt have been made for two storms under present conditions and for one storm with structural measures.

The following table is a summary of peak flows from stream routings, for two summer storms:

1./ Refer to trip report from K. H. Kent to D. McVicker, 3-26-62, in Hydrology correspondence.

| Location of Foot of Reach From Britton | Reach | Present Channel Capacity cfs | Peak cfs - Summer Storm |      |                                              |               |
|----------------------------------------|-------|------------------------------|-------------------------|------|----------------------------------------------|---------------|
|                                        |       |                              | Present                 |      | With Dams (3 csm Release) No Channel Improv. |               |
|                                        |       |                              | 0.5"                    | 1.5" | 0.5" (5 Yr.)                                 | 1.5" (50 Yr.) |
| 3 1/4 Mi. E.                           | 13    | 340                          | 1265                    | 4250 | 785                                          | 2300          |
| 1S, 2S                                 | 12    | 110                          | 1450                    | 4230 | 895                                          | 2400          |
| 2W, 3 1/2 S                            | 11    | 15                           | 1070                    | 2760 | 880                                          | 2570          |
| 3 1/2 W, 3S                            | 10b   | 130                          | 940                     | 2100 | 800                                          | 1890          |
| 4 1/2 W, 2S                            | 10a   | 37                           | 775                     | 1770 | 735                                          | 1500          |
| 5 1/2 W, 1 1/2 S                       | 9(RR) | 15                           | 280                     | 1520 | 200                                          | 1000          |
| 4-3/4 W, 9-3/4 S                       | 20    | 130                          | 650                     | 2160 | 195                                          | 900           |
| 5W, 7S                                 | 17    | 1000                         | 180                     | 455  | 175                                          | 450           |
| 6W, 1-3/4 S                            | 16    | 110                          | 350                     | 1260 | 220                                          | 700           |
| 7W, 1 1/2 S                            | 8     | 400                          | 455                     | 2350 | 380                                          | 1250          |
| 11W, 1S                                | 7     | 280                          | 505                     | 875  | 525                                          | 760           |
| 13W, 1S                                | 6     | slough                       | 435                     | 880  | 340                                          | 760           |
| 14 1/2 W, 1S                           | 5     | 40                           | 420                     | 880  | 325                                          | 780           |
| 15 1/2 W, 4S                           | 4     | 70                           | 365                     | 880  | 285                                          | 715           |
| 17 1/2 W, 8S                           | 3     | 35                           | 120                     | 320  | 107                                          | 310           |
| 21 1/2 W, 12S                          | 2     | 8                            | 74                      | 190  | 68                                           | 190           |
| Outlet                                 | 1     | 72                           | 74                      | 190  | 66                                           | 190           |

Because of the complexities of these watersheds, the damageable areas fall into four types: depth (most commonly used in watershed evaluations); overland flow (depth cannot be measured); trapped water; and duration of flooding, which appears to be the most prominent type of damage in these two watersheds. The only present damages that have been evaluated are the trapped water in Area "B", Sections 4, 9, 16, T 125N, R 59W, and the floodplain in existing reaches 10, 11, and 12, which is primarily a depth versus area flood plain analysis.

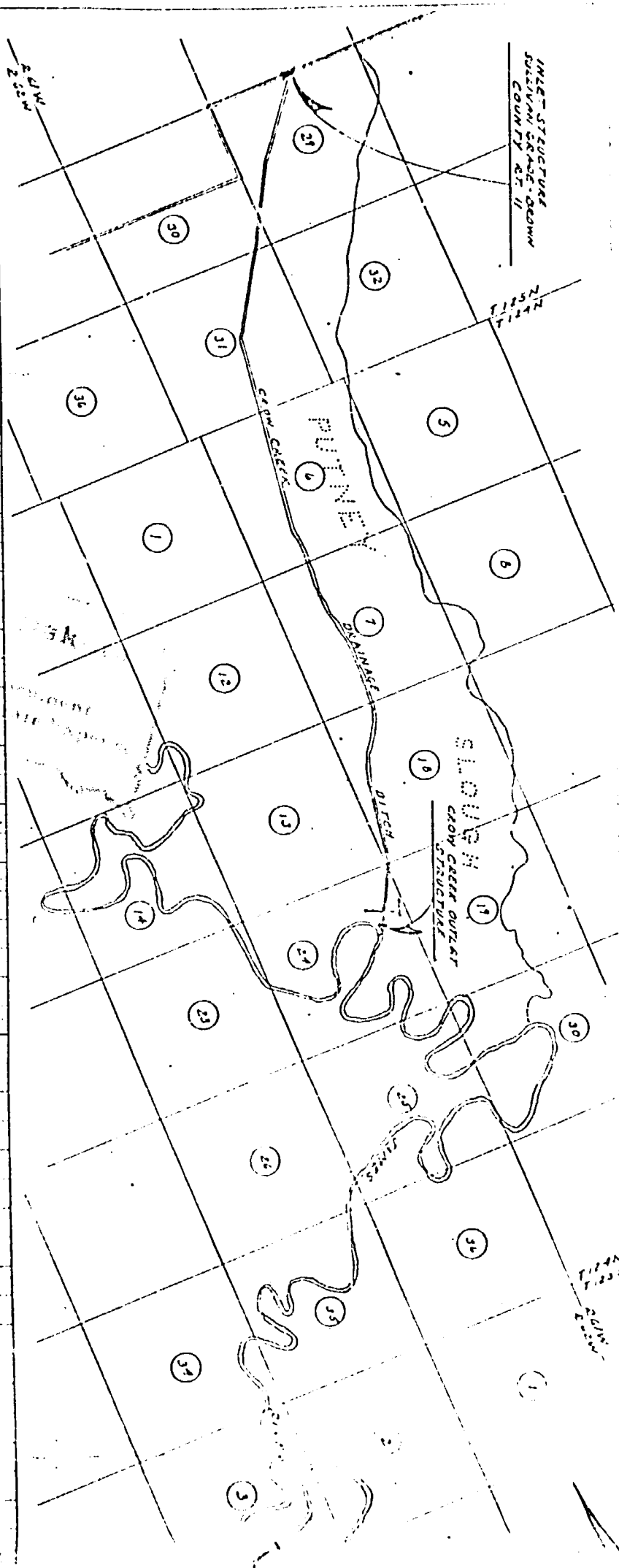
At the elevation where flooding from Crow Creek would first enter Putney Slough (1280.8), the accumulated storage along Crow Creek would amount to 16,000 Ac. Ft. This is equivalent to about 1.0 inch runoff from 288 square miles, which is the drainage area above Putney Slough minus the non-contributing area.

#### Summary

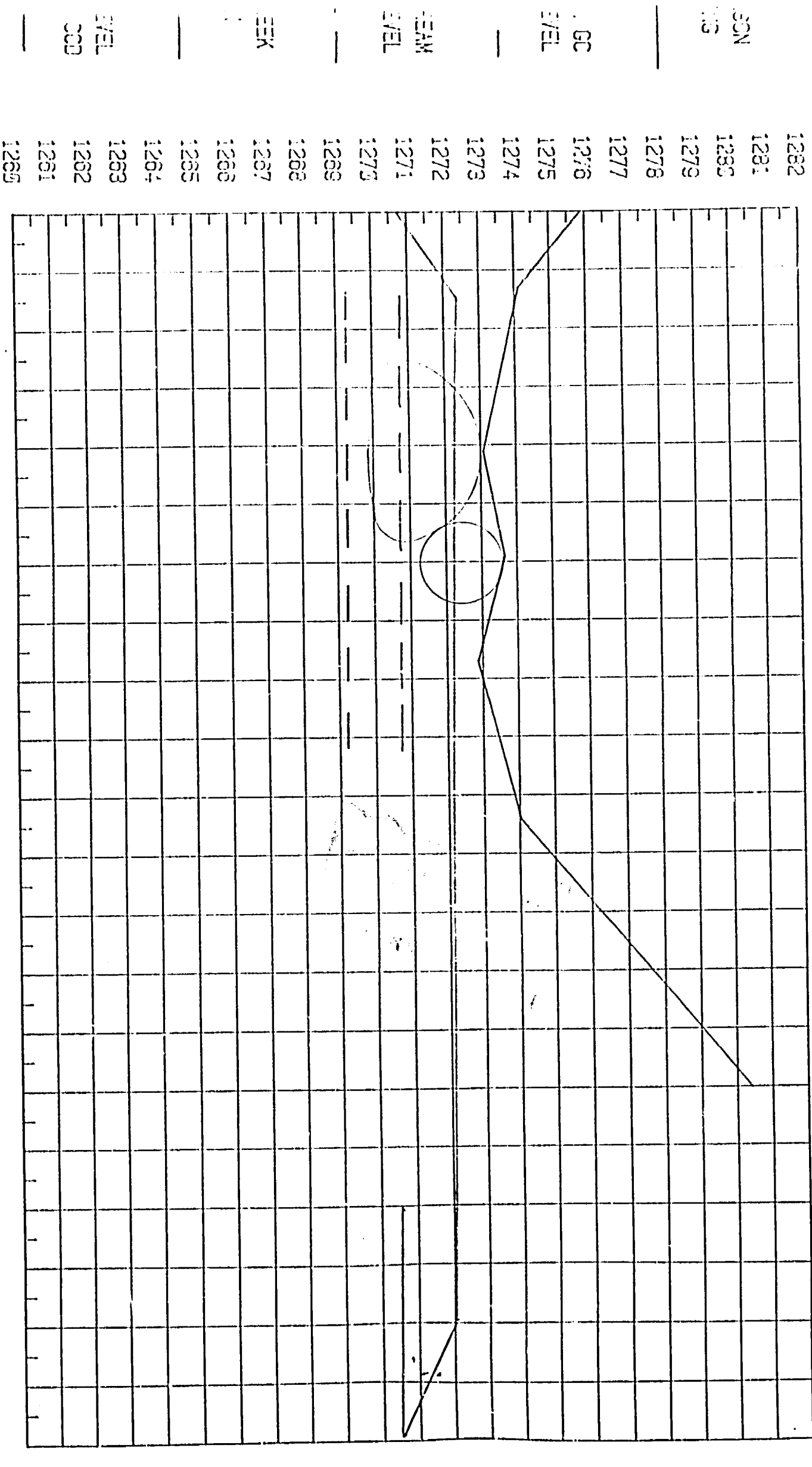
At some time in the future, when these two watersheds are again activated, the hydrologist-in-charge will soon recognize the complexities in his evaluations. An inadequate outlet, flat gradients, non-contributing areas, snowmelt and summer storm damages, duration-type damages, and gated storage are only part of the problems he will face.

It should be recognized that much of the material found in the Crow Creek files has been voided or become obsolete, but is still retained as background information. Completed and uncompleted material that is pertinent to further evaluations may want to be checked by the new hydrologist, so that he will be able to back it up in face of critical review.

~~T 125N~~  
~~T 124N~~



ELEVATION



Final procedures have not been developed on how to evaluate the duration type damage. However, it is expected that the duration procedure used in the Upper Little Minnesota Watershed would adapt itself to this watershed, with some modifications.

Damages are from snowmelt and summer storms, therefore a discounting of summer storm damage has to be made when it is preceded by snowmelt damage the same year. A synthetic storm series would not lend itself very well to this situation; therefore it was decided to use a historical storm series. The years used are 1932-1959, which is the record of the stream gage on the Wheatstone River, at Big Stone City, South Dakota.

The Field Examination Report of these watersheds indicates that snowmelt damages are of major importance. For this reason, snowmelt damages should be evaluated as completely as summer storm damages, rather than applying a short-cut method.

#### Putney Slough

The lower five miles of lower Crow Creek Watershed, known as Putney Slough, has fair protection from flooding. This is accomplished by a levee along Crow Creek and also by dikes along the James River to prevent it from overflowing onto the fertile cropland of Putney Slough. Further control is effected by manually operated gates at the outlet of the watershed and at the north end of Putney Slough. This control has been established by the local people to control backwater from the James River as well as flow from Crow Creek.

States. Ex  
# 13

APPARENTLY GULLIKSON'S DAM WAS FIRST  
INSTALLED IN 1959 WITH 1-<sup>30"</sup>TUBE THRU DAM - NO  
COMPLAINTS UNTIL 1969

DAM REBUILT IN 1969 WITH ARCH TUBE ADDED.  
BOTTOM OF ARCHED TUBE ABOUT 1.3' LOWER THAN  
30" TUBE

Issue: Alternative state actions to eliminate hazards and obstructions in state waterways.

Possible Remedies:

I. Criminal

A. 46-26-1 ; obstruction of free navigation on navigable watercourses. Misdemeanor.

1. Navigable waterways - definition

a. Flisland v. Madison 35 S.D. 457, 152 N.W. 796 (1915)

b. Hellebrand v. Knapp 65 S.D. 414, 274 N.W. 82 (1937)

c. Attorney General's official Opinion No. 77-61, 7-25-77

2. James River meets definition (but what about ~~definition~~ before Act?)

B. 46-26-2, obstruction, tampering, or interfering with level or flow of public waters, Misdemeanor

1. Navigable waters = public waters. See a, b, c above

2. ~~Does not~~ what activity constitutes obstructing, tampering, or interfering with level or flow?

3. Power of state to regulate: 43-17-1

II. Civil

A. Injunction (mandatory or effect)

1. 46-5-1 Prohibits prevention of natural flow of stream.

a. what constitutes natural flow? prevention?

b. exception: 46-5-2; nonnavigable streams (not applicable if  
Tone concluded to be navigable or public)

2. 21-10-1 (3) Nuisance

a. public nuisance } defined 21-10-3

b. private nuisance }

B. Remedies

a. civil action

b. abatement

c. injunction or adjustment

### Possible Defenses

#### I. Estoppel by laches

A. Need detriment to obstructor

B. Need act or omission by state to mislead obstructor to his/her detriment.

#### II. Obstruction pre-dates law

A. Relevant laws passed in 1877

B. Exception: 46-26-2 passed in 1955

### Jurisdiction of Attorney General

I. Criminal - concurrent with state's attorney - 27-3-3

II Public nuisance - 27-10-7, Any public body or officer lawfully author-

III 1-11-1 (2)

Water Rights Division  
605 773-3352

September 2, 1982

Chester Gullickson  
Bath,  
South Dakota 57427

RE: 1125-3  
1491-3

Dear Mr. Gullickson:

This letter will confirm your telephone request September 2, 1982 to pump from the James River for up to three weeks and my verbal authorization to pump. You are authorized to pump in accordance with your Water Right No. 11 1125-3 on the SW $\frac{1}{4}$ , Section 3 and No. 1491-3 on the SE $\frac{1}{4}$ , Section 4 until September 24, 1982. The only qualification is if flows decline below 20 cfs pumping must cease. Flows at the Ashton gage September 2, 1982 are 82 cfs.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Division

JH:ks

Water Rights Division  
605 773-3352

September 27, 1982

Chester Gullickson  
Bath,  
South Dakota 57427

Dear Mr. Gullickson:

This letter will confirm your telephone request of September 27, 1982 to pump from the James River up to October 10, 1982. You are authorized to pump in accordance with your Water Rights No. 1125-3 on the SW $\frac{1}{4}$ , Section 3, T123N, R62W and No. 1491-3 on the SE $\frac{1}{4}$ , Section 4, T123N, R62W. The only qualification is if flows decline below 20 cfs pumping must cease. The flow at Ashton today is 75 cfs.

Sincerely,

TIMOTHY G SCHAALE  
Water Resources Engineer

TGS:ks

Water Rights Division  
605 773-3352

September 13, 1983

1125-3

Chester Gullickson  
RR #1, Box 8  
Barn SD 57427

Dear Mr. Gullickson:

This letter will serve as authorization for you to continue irrigating from the James River until the end of October, 1983.

If you have any questions, please contact this office.

Sincerely,

TIMOTHY G SCHMAL  
Water Resources Engineer

TGS:ks

# *Gullikson Pooled Horsefords*

"Where the Stars are"  
CHESTER GULLIKSON  
Route 1, Box 9  
Zutzi, South Dakota 57427

9-9-1983



Timothy Schaal  
Water Resources Engineer  
Pierre, S.D.

Dear Sir:

I would like to consider  
putting water on my alfalfa  
to get it soaked up for 1984.  
There is a great deal of  
water in the James River.

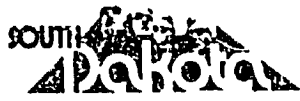
Sincerely,

Chet Gullikson



*The Four Horsemen*

7 miles east, 1 mile north of Aberdeen -- Telephone 605 225-5609



**Department of  
Water & Natural Resources**

Jou Foss Building  
623 East Capitol  
Pierre, South Dakota 57501

Division of Water Rights  
605 773-3352

60.1125-3

1491-3

December 17, 1986

Scott Sperry  
RR#1, Box 6A  
Bath, South Dakota 57427

Dear Mr. Sperry:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50. **for each, total of \$5.00.**

Upon receipt of the enclosed form and the \$2.50 filing fee **for each, total of \$5.00** the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling  
Secretary

ms/  
Enc.

DWNR-8204-8/83

NO. 1125-3

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights  
Foss Building  
Pierre, SD 57501

Date: 1-9-87

This is to notify you that the title to the lands described as follows:

139 Acres - SW $\frac{1}{2}$  Section 3, T123N-R62W

formerly owned by Chester Gullickson, Bath, SD

has been transferred to Scott Sperry, RR#1, Box 6A, Bath, South Dakota 57427

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1125-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA )  
                                  ) ss.  
County of Brown )

I, Scott Sperry 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, and I know of my own personal knowledge that the information herein stated is true.

Scott Sperry  
(Signed)

Subscribed and sworn to before me this 9th Day of January, 19 87

Carla D. K.  
(Notary Public)

WNR-820-9/83

Notice of Transfer of Water Permit

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, January 14, 1987

RECEIVED OF Scott Sperry RR 2, Box 6A, Bath, SD 57427

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

|                                                                                                                            |       |      |
|----------------------------------------------------------------------------------------------------------------------------|-------|------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____ |       |      |
| 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 <u>11.5-3</u>                                                                                 |       | 2 00 |
| Fee for Filing Extension Request _____                                                                                     |       |      |
| Fee for Certified Copy of _____                                                                                            |       |      |
| Fee for Print Copy of Map _____                                                                                            |       |      |
| Fee for Certifying _____                                                                                                   |       |      |
| Fee for _____                                                                                                              |       |      |
| (Any Other Work Provided by Law)                                                                                           | Total | 2 00 |

By Jim. Hatch  
Chief Engineer JOHN HATCH (15)

 **Department of  
Water & Natural Resources**

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

WATER RIGHTS DIVISION  
(605) 773-3352

1125-3  
1491-3

January 16, 1987

Scott Sperry  
RR 1, Box 6 A  
Bath, South Dakota 57427

Dear Mr. Sperry:

Enclosed are receipt Nos. 410710 and 410711 in the amount of \$2.50 each  
which you paid for transfer of Water Right Nos. 1125-3 and 1491-3.

Our records now show you as the owner of these Water Rights.

Sincerely,

*Maxine Stirling*

Maxine Stirling  
Secretary

ms/  
Enc.2



# Department of Water & Natural Resources

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

April 18, 1988

1491-3

1125-3

Scott Sperry  
RR 1, Box 6A  
Bath, SD 57427

RE: James River Flow Conditions and Future Shut Off Orders

Dear Mr. Sperry:

We have been monitoring James River flows. I am sure that you realize that unless water supply conditions change, there will not be much water for irrigation during 1988. Shutoff of irrigation above Huron is required when the flow drops to 20 cfs at the Huron Third Street Dam. Therefore, we expect to issue orders within the next two to four weeks to shut off James River Irrigation from the Third Street Dam to the ND-SD border. Below Huron to the I-90 bridge near Mitchell, irrigators can also expect a shutoff order within the next few weeks when the flows of the river drop below 20 cfs at the Forestburg Gaging Station. Below the I-90 bridge near Mitchell to the Yankton County line we may need to issue a shutoff order sometime during early summer if the flows at Scotland drop below 20 cfs.

James River flow conditions are as follows:

## James River Flow\* Record

| Date     | LaMoore | Ludden | Columbia** | Ashton | Huron | Forestburg | Scotland |
|----------|---------|--------|------------|--------|-------|------------|----------|
| 04/06/88 | 81.2    | (state | 15.0       | 37.7   | 48.0  | 105        | 285      |
| 04/11/88 | 134     | line)  | 12.4       | 34.3   | 39.4  | 60.9       | 167      |
| 04/13/88 | 150     |        | 8.99       | 21.4   | 24.3  | 55.7       | 122      |
| 04/14/88 | 159     | 190    | 21.3       | 34.3   | 32.0  | 50.8       | 115      |
| 04/15/88 | 142     |        | 57.0       | 45.6   | 32.0  | 48.9       | 112      |

\* Flow in cfs (cubic feet of water per second)

1 cfs = 449 gallons per minute

\*\* Sand Lake Refuge has increased releases due to inflows

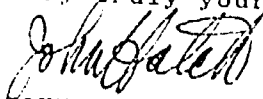
The flow in North Dakota at LaMoore, ND is 142 cfs because of releases being made at the Pipestem Dam. However, releases from Pipestem will be reduced after April 15 to 25-50 cfs because of a construction project below the dam. We do not expect significant releases from the Jamestown Reservoir in North Dakota because the water level elevation is below the flood control storage elevation.

Sand Lake Refuge is at or near full capacity and releases are being made. The quantity released will depend on inflows which are measured near the ND-SD State Line.

We are providing the above information to allow you to have the latest information for the entire James River and to provide you with an indication of what to expect. Unless water supply conditions change, we expect that the James River pumping will be shutoff for much of the irrigation season.

If we may answer any questions, please contact James Winterton, 773-3352.

Very truly yours,



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

DATE MICROFILMED

CAMERA OPERATOR



# Department of Water & Natural Resources

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

May 18, 1988

## NOTICE OF SHUTOFF ORDER

TO: Scott Sperry  
RR 1, Box 6A  
Bath, SD 57427

1491-3

1125-3

FROM: John Hatch, Chief Engineer  
Water Rights Division  
605 773-3352

*John Hatch*  
*By James Watterson*

SUBJECT: Shut Off Order To James River Water Right Holders Located Above  
Huron, Effective 12:00 Noon, May 25, 1988.

I am certain that you are aware that James River flows are not enough to supply all water rights. Therefore, to protect the City of Huron's senior water rights and to provide water for domestic use (livestock watering), effective 12:00 noon on May 25, 1988 no pumping of water from the James River is authorized until January 1, 1989 or until further notice.

The following is the latest flow information that we have on the river:  
(these are provisional records - flow measured in cubic feet per second)

| Date     | LaMoure | Ludden | Columbia | Ashton | Huron            | Forestburg | Scotland |
|----------|---------|--------|----------|--------|------------------|------------|----------|
| 05/09/88 | 5.5     | 156    | 6.97     | 51.4   | 62.0             | 57.7       | 72.0     |
| 05/10/88 | 4.2     | 48.0   | 16.3     | 43.7   | 65.1             | 65.3       | 87.4     |
| 05/11/88 |         | .05    | 9.23     | 31.6   | 45.0             | 68.8       | 82.0     |
| 05/12/88 | 4.6     | 5.79   | 6.30     | 30.3   | 51.3             | 68.8       | 79.4     |
| 05/13/88 | 0.30    | 0.45   | 6.46     | 30.0   | 48.0             | 65.3       | 76.9     |
| 05/16/88 | 0.50    | 3.09   | 3.15     | 21.1   | 45.0             | 43.9       | 62.8     |
| 05/17/88 | 0.0     | 0.0    | 4.84     | 15.0   | 42.1             | 43.7       | 58.5     |
| 05/18/88 | 0.0     | 0.0    | 3.51     | 12.8   | 6.8 <sup>+</sup> | 39.6       | 50.7     |

\* South wind affecting the reading

As the information listed above shows, there is almost no James River flow in North Dakota and the flows in South Dakota are steadily decreasing. Unless conditions change, it appears that no pumping will be allowed for the remainder of the 1988 irrigation season from the James River.

cc: City of Huron





# Department of Water & Natural Resources

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

May 24, 1988

## NOTICE OF EXTENSION OF SHUTOFF ORDER

TO: Scott Sperry  
RR 1, Box 6A  
Bath, SD 57427

1491-3  
1125-3

FROM: John Hatch, Chief Engineer  
Water Rights Division  
605 773-3352

SUBJECT: Extension of Shutoff Order to 12:00 Noon, June 1, 1988  
due to Increased Flows in the James River.

The rains this past weekend over the James River Drainage area has produced enough runoff to provide additional flows in the James River. Therefore, the **shutoff order** to be effective at 12:00 noon, May 25, 1988 is **extended to 12:00 noon, June 1, 1988.**

We will continue to monitor the flows to determine whether or not an additional extension may be granted.





# Department of Water & Natural Resources

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

May 31, 1988

## NOTICE OF EXTENSION OF SHUTOFF ORDER

TO: Scott Sperry  
RR 1, Box 6A  
Bath, SD 57427

1491-3

1125-3

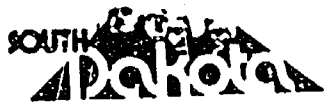
FROM: JOHN HATCH, Chief Engineer  
Water Rights Division  
605 773-3352

SUBJECT: Extension of Shutoff Order to 12:00 Noon, June 15, 1988  
due to Increased Flows in the James River.

The rains over the James River Drainage area has produced enough runoff to provide additional flows in the James River. Therefore, the shutoff order to be effective at 12:00 noon, May 25, 1988 is extended to 12:00 noon, June 15, 1988.

We will continue to monitor the flows to determine whether or not an additional extension may be granted.





# Department of Water & Natural Resources

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

July 17, 1989

## NOTICE OF SHUTOFF ORDER

1491-3  
1125-3

TO: Scott Sperry  
RR 1, Box 6A  
Bath, SD 57427

FROM: John Hatch, Chief Engineer  
Water Rights Division  
(605) 773-3352

SUBJECT: Shut Off Order to James River Water Right Holders  
Located above Huron Effective 12:00 Noon July 20, 1989.

The flows in the James River have dropped to less than 20 cfs at Huron. Therefore to protect the City of Huron's prior rights and domestic uses (livestock watering) on the James River, effective 12:00 noon on July 20, 1989 no pumping of water from the James River is authorized until January 1, 1990 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for the remainder of the 1989 irrigation season from the James River.

If you have any questions, please contact James Winterton, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent



 **Department of  
Water & Natural Resources**

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

April 6, 1990

**NOTICE OF SHUTOFF ORDER**

1491-3, 1125-3

TO: Sperry, Scott  
RR 1, Box 6A  
Bath, SD 57427

FROM: *for* John Hatch, Chief Engineer  
Water Rights Division  
(605) 773-3352

*Delvin H. Brosz*

SUBJECT: Shut Off Order to All James River Irrigation Water Right Holders-Effective Immediately.

The flows in the James River are below 20 cubic feet per second (cfs) at most of the gaging stations. Therefore to protect the City of Huron's prior rights from diversions above Huron and domestic uses (livestock watering) on the river below Huron, effective immediately, no pumping of water from the James River is authorized until January 1, 1991 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for the 1990 irrigation season from the James River. If conditions do improve, notices will be issued, based on senior priority dates, to allow pumping by irrigators.

Sand Lake Wildlife Refuge is approximately one foot below the full level. The Refuge is entitled to the flows from North Dakota under a senior water right. The flows from North Dakota are expected to decrease due to the lack of snow pack. The storage levels in the Jamestown and Pipestem Reservoirs are down with no expected releases.

The following is the latest flow (cfs) information on the river:

| Date    | Ludden | Columbia | Ashton | Huron | Forestburg | Scotland | Yankton |
|---------|--------|----------|--------|-------|------------|----------|---------|
| 3/28/90 | ----   | ----     | ----   | ----  | ----       | ----     | 30.2    |
| 4/2/90  | ----   | 3.5      | 8.0    | 0     | 6.0        | 15.0     | ----    |
| 4/4/90  | 51.0   | 10.0     | 10.0   | 0     | 5.4        | 22.0     | ----    |

If you have any questions, please contact Del Brosz, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent

**SOUTH DAKOTA Department of  
Water & Natural Resources**

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

April 2, 1991

1125-3  
1491-3

Scott Sperry  
RR 1, Box 6A  
Bath, SD 57427

Dear Mr. Sperry:

I am contacting irrigators and water users on the James River to advise of the low flow conditions in the James River and potential of shut off orders being issued. Due to the continuing drought, the James River basin, in both North Dakota and South Dakota, is supplying the river with below normal runoff.

The following is the latest flow (cfs) information on the river:

| Date    | Ludden | Columbia | Ashton | Huron | Forestburg | Scotland |
|---------|--------|----------|--------|-------|------------|----------|
| 3/28/91 | 79.1   | 0.0      | 6.6    | 2.3   | 19.2       | 23.7     |
| 3/29/91 | 79.1   | 0.0      | 6.3    | 13.0  | 17.9       | 22.8     |
| 4/01/91 | 79.1   | 0.0      | 6.1    | 11.1  | 18.5       | 10.0     |

Note: The flow at Ludden is from in stream ice melt with little or no runoff occurring.

We will continue to closely monitor the flow in the river. Unless flow conditions improve in the next two to three weeks, shut off orders may have to be issued to all James River water users except for the City of Huron, which has senior water rights.

If you have any questions, feel free to contact Mark Rath or Del Brosz. Phone (605) 773-3352.

Very truly yours,

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

*South Dakota*

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

August 5, 1991

NOTICE

1125-3  
1491-3

TO: Scott Sperry  
RR 1, Box 6A  
Bath, SD 57427

FROM: *for* JOHN HATCH, Chief Engineer  
Water Rights Division  
(605) 773-3352

*Delvin W. Brosz*

SUBJECT: The August 10 Automatic Shutoff Date For Water  
Diversions from the James River

The August 10 automatic shutoff date for water diversions from the James River is still in effect. Although flows in the James River continue to be good, the gates at the Columbia Road Dam below Sand Lake Refuge were shut on August 1, continued good flows, particularly in the upper river reaches, are questionable. Continuation of diversions beyond the August 10 shutoff date will be considered on a case by case basis. To do this you need to contact the Water Rights Division in Pierre.

The following is the latest flow (cfs) information on the river.

| DATE    | LUDDEN | COLUMBIA | ASHTON | HURON | FORESTBURG | SCOTLAND |
|---------|--------|----------|--------|-------|------------|----------|
| 7/31/91 | 6.7    | 63       | 130    | 139   | 142        | 148      |
| 8/02/91 | 17     | 58       | 125    | 134   | 139        | 154      |
| 8/05/91 | 0.3    | 36       | 101    | 128   | 140        | 166      |

If you have any questions, please contact Del Brosz or Mark Rath, Division of Water Rights, 523 East Capitol, Pierre, SD 57501. Phone (605) 773-3352

cc: City of Huron, Water Superintendent

*South Dakota*

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

August 12, 1991

Scott Sperry  
RR 1, Box 6A  
Bath, SD 57427

Dear Mr. Sperry:

In response to your telephone call requesting an extension to pump from the James River, you are hereby authorized to continue irrigation under Water Right Nos. 1125-3 and 1491-3 from the James River.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights. We will continue to monitor the river and will be in contact with you if low flows become a problem.

If you have any questions, please do not hesitate to contact this office.

Very truly yours

*John Hatch*  
JOHN HATCH, Chief Engineer  
Water Rights Division  
(605) 773-3352



1125-3

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

1  
September 5, 1991

Scott Sperry  
RR 1, Box 6A  
Bath, SD 57427

Dear Mr. Sperry:

The flow in the James River is approaching 20 cfs at Huron and continues to drop. Therefore, to protect Huron's senior water right and downstream domestic use (including livestock watering), diversions covered under Water Right Nos. 1125-3 and 1491-3 shall be discontinued, effective immediately, until January 1, 1992.

If you have any questions, please do not hesitate to contact this office.

Very truly yours

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



April 14, 1992

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3161

NOTICE OF SHUTOFF ORDER

1125-3  
1491-3

TO: SCOTT SPERRY  
RR 1 BOX 6A  
BATH, SD 57427

FROM: JOHN HATCH, Chief Engineer  
Water Rights Division  
(605) 773-3352

SUBJECT: Shut Off Order to All James River Water Right Holders  
Above Huron, Effective Immediately.

The flows in the James River are below 20 cubic feet per second (cfs) at the gaging stations above Huron. Therefore to protect the City of Huron's prior rights from diversions above Huron and domestic uses (livestock watering) below Huron, effective immediately, no pumping of water from the James River above Huron is authorized until January 1, 1993 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for 1992 from the James River above Huron diversion dam. If conditions improve, notices will be issued, based on senior priority dates, to allow pumping by water users.

Due to the continuing drought, the James River basin, in both North Dakota and South Dakota, is receiving below normal runoff.

The following is the latest flow (cfs) information on the river:

| Date    | Ludden | Columbia | Ashton | Huron | Forestburg | Scotland |
|---------|--------|----------|--------|-------|------------|----------|
| 4/7/92  | 83     | .4       | 9      | 32    | 40         | 57       |
| 4/10/92 | 54     | .6       | 7      | 20.5  | ---        | 57       |
| 4/13/92 | 6      | .6       | 4      | 20.5  | ---        | 55       |

If you have any questions, please contact Norma Job or Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent

REPRODUCTION  
REDUCTION  
DATE MICROFILMED  
CAMERA OPERATOR



1125-3

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

June 23, 1992

RESCISSION OF SHUTOFF ORDER

1125-3  
1491-3

TO: SCOTT SPERRY  
RR 1 BOX 6A  
BATH, SD 57427

FROM: *for* John Hatch, Chief Engineer *Delvin D. Brosz*  
Water Rights Division  
(605) 773-3352

SUBJECT: Rescission of April 14, 1992 Shutoff Order  
to James River Water Right Holders above  
Ashton to the North Dakota/South Dakota  
State Line.

The present flow conditions on the James River are sufficient to allow for diversions. The Shutoff Order of April 14, 1992 is rescinded, effective immediately, for all James River Water Right Holders between the Ashton gaging station and the North Dakota/South Dakota state line. We will continue to monitor the flows of the James River through the summer. The present increase in flow may only be temporary. If the present flow conditions continue, pumping will be allowed until the mandatory August 10 shutoff date. Pumping after the August 10 shutoff date will be handled on request and requires written approval from the Chief Engineer.

If you have any questions, please contact Norma Job or Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501 Phone (605) 773-3352.

cc: City of Huron, Water Superintendent



1125-3

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

August 18, 1992

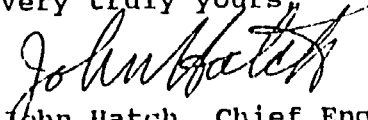
Scott Sperry  
RR 1, Box 6A  
Bath, SD 57427

Dear Mr. Sperry:

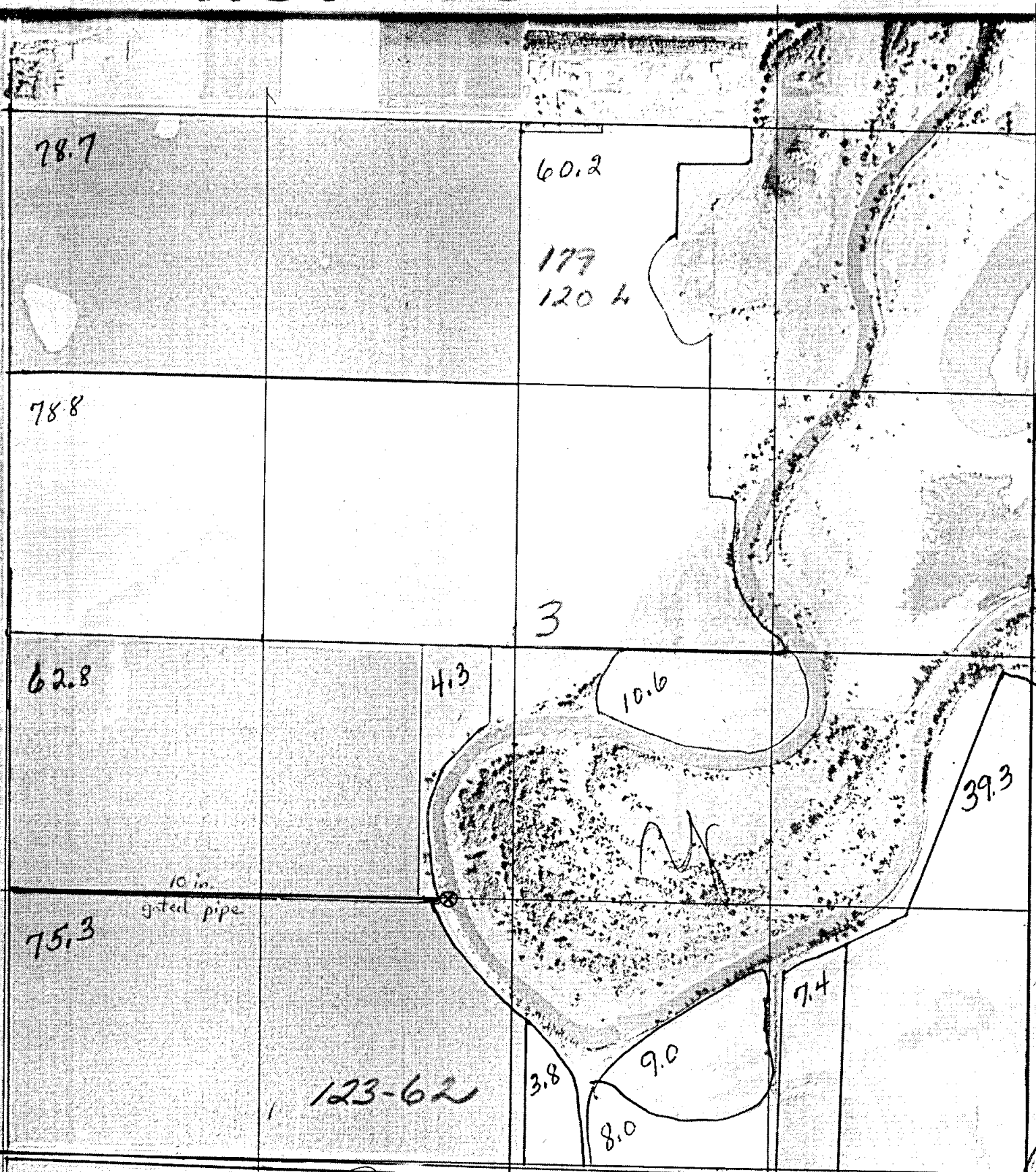
I am writing in response to your telephone call on August 17, 1992 requesting an extension to pump from the James River. You are authorized to continue irrigation at a rate not to exceed 1200 gallons per minute until August 24, 1992 under Water Right No. 1125-3.

If you have any questions, please contact Del Brosz (605) 773-3352.

Very truly yours,

  
John Hatch, Chief Engineer  
Division of Water Rights

# NOT TO SCALE



Ron Duwall  
Natural Resources Eng  
3/28/85

License No 1125-3

179 Map No. 433-3  
120.4



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 1, 2006

**NOTICE OF SHUTOFF ORDER**

**TO:** SCOTT SPERRY  
39600 132 ST  
BATH SD 57427

**FROM:** GARLAND ERBELE, Chief Engineer  
Water Rights Program

**SUBJECT:** James River Shutoff Order

**Shutoff Order for Water Right No(s).** 1125-3 1491-3

To protect domestic use on the James River, the department is issuing shutoff orders to water right holders on the James River from the Yankton-Hutchinson county line north to the North Dakota border. Effective immediately, no diversions of water from the James River will be allowed. Previous to this Order, shutoff orders were issued for water right junior to January 1, 1975 located upstream of Huron.

Flow in the James River continues to decline to the point where domestic use of water, which includes livestock watering from the river, has become a concern. USGS gaging stations over this entire river reach are measuring flow levels at or below 20 cubic feet per second, the required bypass for downstream domestic use. This order will remain in effect until the end of the calendar year.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

<http://waterdata.usgs.gov/sd/nwis/rt>

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river.

If you have any questions, please contact Lynn Beck or Mark Rath with the Water Rights Program at (605) 773-3352. Thank you.



1125-3

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

August 6, 2012

**JAMES RIVER WATER RIGHT QUALIFICATION REMINDER  
WATER RIGHT NO(s). 1125-3, 1491-3**

To: SCOTT SPERRY  
39600 132 ST  
BATH SD 57427

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

Subject: James River Qualification Reminder for Permit No(s). 1125-3, 1491-3

Qualifications on your water right indicate that you are not authorized to divert James River water after August 10<sup>th</sup>. Please, consider this a reminder and cease diversion if you have not already done so. No diversion can take place after August 10<sup>th</sup> unless under written orders by the Chief Engineer. You may resume diversion on the date stated in the qualifications on your water right.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

August 27, 2012

Scott Sperry  
39600 132<sup>nd</sup> ST  
Bath SD 57427

Dear Mr. Sperry:

In response to a telephone call on August 27, 2012 requesting an extension to pump from the James River beyond the August 10<sup>th</sup> cutoff, you are authorized to pump under Water Right Nos. 1125-3 and 1491-3 subject to the following:

- No irrigation from the James River beyond September 7, 2012 for the 2012 irrigation season
- Flows remain available for downstream domestic users and prior water rights
- Flows past the Ashton gaging station remain above 20 cubic feet per second after pumping

We will continue to monitor the James River and if conditions warrant, you may be shutoff prior to August 31, 2012, with no prior notice given. If you have any questions, please contact Lynn Beck or Mark Rath at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer  
Water Rights Program



1125-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 15, 2016

NOTICE

TO: SCOTT SPERRY, 39600 132ND ST, BATH, SD 57427

FROM: Ron Duvall, Natural Resources Engineer  
for Jeanne Goodman, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire has not been submitted for Permit No(s) 1125-3 & 1491-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Thursday, March 3, 2016 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1125-3 & 1491-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 3, 2016** 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 Genny McMath at (605) 773-3352 or email at [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

**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 ENVIRONMENT  
and NATURAL RESOURCES**

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

denr.sd.gov

February 3, 2016

1125-3  
1491-3

Scott Sperry  
39600 132<sup>nd</sup> St  
Bath SD 57327

Dear Mr. Sperry:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right Nos. 1125-3 and 1491-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**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