

1216-3

1. Considered 11-17, 1965
2. Name of Applicant DEPT OF GAME, FISH & PARKS
3. Post Office Address PIERRE
4. Amount of water claimed 12 ACRE FEET ANNUALLY 154 AC
FT
5. Source of water supply DRY DRAW
6. Water to be used for RECREATION

Acres to be irrigated ✓

7. Water to be diverted and used in AURORA County about
3E 2N miles of STICKNEY

8. Proof of Publication Received ✓
 Not Received

9. Application Approved
 Subject to

Not Approved

Action deferred

10. Remarks:

No. 1216-3
 Water Division No. 3 JAMES RIVER District
 (Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT To appropriate Water within the State of South Dakota

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

1. Name of applicant South Dakota Department of Game, Fish and Parks
 Postoffice address Pierre, County Hughes, State South Dakota

- 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 STICKNEY LAKE, AURORA COUNTY
 3. Amount of water claimed 154 acre feet cubic feet per second
 4. Source of water supply Dry Creek
 5. Location of point of diversion NELSW. Sec. 22, Township 102 N., Range 63 W.
 _____ on _____ bank Aurora County.
 6. Annual period or periods during which water is to be used All year
 7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? _____

- (a) Number of acres to be irrigated _____ acres.

- (b) Legal subdivisions to be irrigated _____

(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.) Public use

Fishing and hunting on a portion of the SW $\frac{1}{4}$, Section 22, Township 102 N., Range 63 W.

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

- (a) Nature of use Public Recreation

 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 _____

MAP N° 838-3

8. Estimated cost of work:

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

(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.)

Dam

II. Dimensions of works.

(a) Dam: Height 22 feet; length at bottom 183 feet; length at top 400 feet; thickness at bottom 124 feet; thickness at top 14 feet; slope at front water face 3:1; slope at back face 2:1; material used in construction earth

(b) Reservoir: Capacity when filled 154 acre feet. Surface area at highwater mark 44 acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE-FOOT CAPACITY
18'	24	154

Emergency spillway elevation will inundate 44 acres

(c)* Head gate: Widthfeet; heightfeet;

Material

(d) Canal: Total lengthmiles.

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 work³..... years.11. Time required for complete application of water to the proposed beneficial use³..... years.

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

Stickney Argus

STATE OF SOUTH DAKOTA

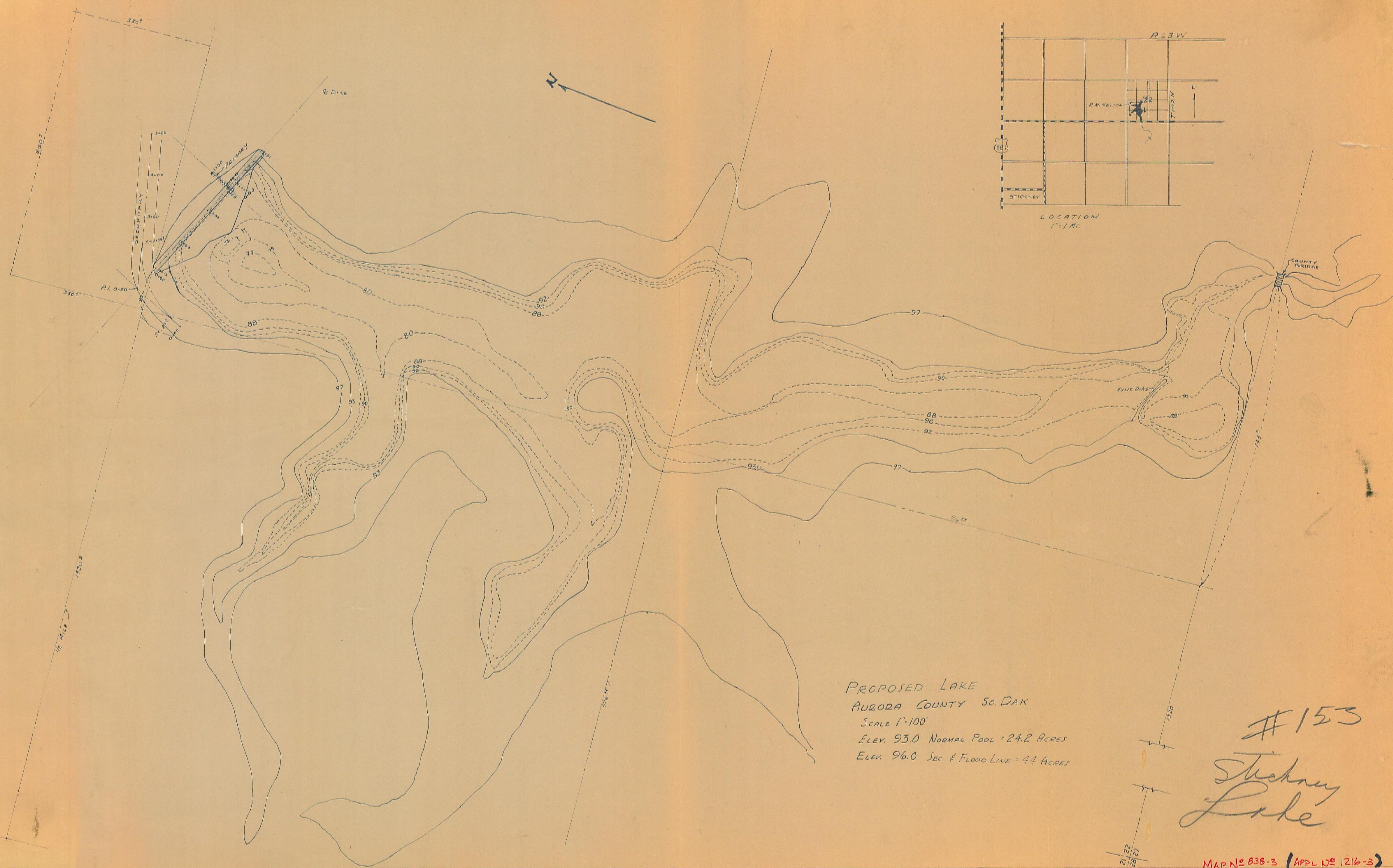
County of Hughes

ss.

I, R. A. Hodgins, 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 R. A. HodginsSubscribed and sworn to before me this 13th day of August 1965Alvin H. Green
Notary Public (or other qualified officer)

*Each diversion must have a headgate or measuring device.



PROPOSED LAKE
AURORA COUNTY SO. DAK
SCALE 1"=100'
ELEV. 93.0 NORMAL POOL = 24.2 ACRES
ELEV. 96.0 SEC. & FLOOD LINE = 44 ACRES

#153
Stickney
Lake

Remarks by State Water Resources Commission:

WATER RIGHT APPLICATION 1216-3 IS HEREBY
APPROVED AUTHORIZING THE CONSTRUCTION OF
STICKNEY LAKE DAM, AND AUTHORIZES THE USE
OF 154 ACRE FEET OF WATER TO FILL THE DAM,
AND UP TO 72 ACRE FEET OF WATER ANNUALLY
THEREAFTER FOR EVAPORATION AND OTHER LOSSES.

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, NOVEMBER 18, 1965

This is to certify that the foregoing application was received by the Commission at 10:30 o'clock
9 m. upon the 13TH day of AUGUST, 1965

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Number of permit 1216-3

Date of first receipt of application AUGUST 13, 1965

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 13, 1965

Approved NOVEMBER 17, 1965, Recorded in Book 9 Page 56

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 _____

MAY 17, 1967

2nd. The whole of said work is to be completed on or before NOVEMBER 17, 1968

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

NOVEMBER 17, 1968

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

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 72 ACRE FEET ANNUALLY
~~cubic foot 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~~
USED FOR PUBLIC RECREATION

and beneficially ~~applied for irrigation~~ on or before NOVEMBER 17, 1968; said water to be used during the following described annual period:

CONTINUOUSLY
Witness my hand this 18TH day of SEPTEMBER, 1965

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License issued _____, 19____

on or before October 21, 1965

APPROPRIATION OF WATER

Office of State Water Resources Commission.

Pierre, S. Dak, October 4 1965

Notice is hereby given that the South Dakota Department of Game, Fish and Parks whose postoffice address is Pierre 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 120 acre feet annually for storage in ~~under~~ of water ~~per year for 100 years~~ from the a dry creek ~~through the~~ Stickney Lake, the point of diversion of which is to be located on the ~~bank of said stream~~ in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 22 Twp. 102N Range 63W. Said water to be used for the purpose of providing irrigation on the ~~for~~ rowing salmon and ~~public recreation.~~

END XFOR

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of November, 1965, 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

CC: Mr. H. P. Howard, Publisher
Stickney Argus
Stickney, S.D.

NOTICE OF INTENTION
TO APPROPRIATE WATER

No. 1263

APPROPRIATION OF WATER

Office of State Water Resources
Commission Pierre, S. Dak., October
4, 1965.

Notice is hereby given that the
South Dakota Department of
Game, Fish and Parks whose post-
office address is Pierre, S. Dak.,
has made an application in accord-
ance with the provisions of the
water laws of South Dakota for a
permit to appropriate for bench-
land a 120 acre feet annually
of water from a dry creek for
storage in Stickney Lake, the
point of diversion of which is lo-
cated in the NE 1/4 of the
SW 1/4 of Section 22, Twp. 102 N.,
R. 63 W. Said water to be
used for the purpose of providing
irrigation.

This application will be taken
up by the State Water Resources
Commission at their office at
Pierre for consideration upon the
17th day of November, 1965, 200
p.m. all interested persons may
appear and be heard.

Appropriate action will be tak-
en by the Water Resources Com-
mission after suitable time has
elapsed for the consideration of
any or all information presented.

State Water
Resources Commission
By: ALTON P. JONES,
Water Rights Specialist
(11-0228)

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF AURORA

ss.

of said County and State, being first duly sworn, on his oath says:

The Stickney Argus is a weekly newspaper of general circulation, printed
and published in Stickney, in Aurora County and State of South Dakota by
H. P. Howard and has been such newspaper during the times hereinafter men-
tioned; that the said newspaper is a legal newspaper, that it has a bona-fide
circulation of more than 200 copies weekly, that it has been published within
said county of Aurora in the English language for more than fifty-two succe-
ssive weeks next prior to the publication of the notice hereinafter mention-
ed, and has been printed during said period and at the present time, in whole or in
part in an office maintained at the said place of publication; and that I, the
undersigned, am

of said newspaper, in charge of the advertising department thereof, and have
personal knowledge of all the facts stated in this affidavit; that the advertise-
ment headed Notice of Intention to

a printed copy of which is hereto attached, was printed and published in the

said newspaper for 4 times; that said notice
was published in the issues of said paper on the dates as follows, to-wit:

The first publication being made on Oct. 7, 1965;

the second publication on Oct. 14, 1965;

the third publication on Oct. 21, 1965;

the fourth publication on Oct. 28, 1965;

the fifth publication on _____, 19____;

the sixth publication on _____, 19____;

and the last publication on _____, 19____;

that \$12.12, the full amount of the fee charged for publication
of the annexed notice, inures solely to the benefit of the publishers of the said
newspaper; that no arrangement or understanding for a division thereof has
been made with any person, and that no part thereof has been agreed to be paid
to any person whomsoever.

Subscribed and sworn to before me this 9

day of Nov, 1965

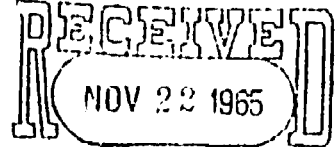
Notary Public

Notary Public, Aurora County

RECD
11-5-65
[Signature]

File 12.16-3

Salt Lake City, Utah
Nov. 17, 1965



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Mr. Burton F. Jones
Water Resources Commission
Pierre, South Dakota

Dear Sir:

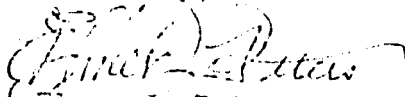
Thank you for your response to my letter regarding the proposed dam to be constructed in section 22, 102-63. I am very disappointed to learn that more tax payers money is to be spent for recreation purposes, as long as we already have a large dam that could be brought back through wells etc.

For years the Fish Lake was supplied with water through Artesian wells, perhaps still is supplied this way. Instead of recreation purposes I feel it would be more profitable for the cattle growers to have dams built in dry runs, the way they are in Gregory County. Certainly recreation is not building our South Dakota, what we need is more cattle farmers.

In 1964 we had a contractor dig out a spring in the dry run creek on the NW of our quarter of 36, we had water for less than two weeks. As it stands we have a large dam on our land and a dugout both dry, now my only alternative is to drill a well.

It seems to me that there's plenty of space by the Missouri River for recreation purposes, building dams for recreation is a waste of tax payers money. Just who gets the sports out of the so called recreation dams, only a few hunters who can afford to fish and hunt, from the small towns in that area, again I say we need more cattle farmers, and enough water to supply their needs.

Sincerely,


Elmer J. Peters

1216-3

Permit No. 1216-3
James River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DENR, Joe Foss Bldg., Pierre, SD 57501

On this day, June 24, 1993, a thorough examination was made of the water use system constructed by Dept. of Game, Fish & Parks of 523 East Capitol, Joe Foss Building, Pierre, SD 57501 holder of Permit No. 1216-3, bearing the priority of August 13, 1965 authorizing storage of 72 ac. ft. of water from runoff for Public Recreation purposes, in Aurora County.

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

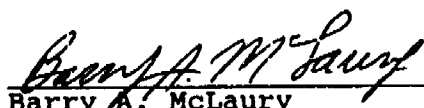
- A. Works used to divert the water:
N/A
- B. Works used to transport water to place of use:
N/A
- C. Works used to apply water to beneficial use:
Natural drainage into an 83 AF dam for recreational use.

The system is in the following condition: good. The point of diversion is located 1590 feet E and 100 feet S from the W quarter corner of Section 22; T102N R63W (NE1/4 SW1/4). The works are capable of storing 83 acre-feet of water which is to be used for recreation. The license should be issued for 83 acre-feet of storage.

****NOTE:** This permit was inspected by Norma C. Job on June 24, 1993 and written up by Barry A. McLaury at a later time.

Permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: None Date: April 19, 1994


Barry A. McLaury
Environmental Scientist
DENR, Water Rights Division

L

REPORT ON INSPECTION OF PERMIT NO. 1216-3

DATE OF INSPECTION: 8-24-93

Other permit(s) associated with the project: N/A

Name of inspection contact: N/A

Contact relationship to permit holder: N/A

Name/address of permit holder: Dept. of Game Fish & Parks, 523 East Capitol, Joe Foss Building,
Pierre, SD 57501.

DIVERSION POINT LEGAL LOCATION: 1590 feet E and 100 feet S from the W quarter corner of
Section 22; T102N R53W (NE1/4 SW1/4).

DAM INFORMATION:

- | | |
|--|--|
| 1) Height to crest <u>18</u> feet | 10) Date constructed: <u>1965</u> |
| 2) Height to primary spillway <u>12</u> feet | 11) Outlet tubes: |
| 3) Height to secondary spillway <u>15</u> ft | a) diameter <u>2 @ 36</u> inches |
| 4) Crest width <u>15</u> feet | b) type <u>CMP</u> |
| 5) Crest length <u>370</u> feet | c) valved <u>N</u> |
| 6) Spillway length feet | d) valve type <u>Drop Inlet</u> |
| 7) Spillway width <u>50</u> feet | e) location on structure <u>right end of dam</u> |
| 8) Approx. storage <u>83</u> ac-ft | 12) Category of Dam <u>III</u> |
| 9) Approx. storage to crest <u>177</u> ac-ft | 13) Inspection Sheet Completed <u>Y</u> |

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A

****NOTE:** This permit was inspected by Norma C. Job on June 24, 1993 and written up by Barry A. McLaury at a later time.

STATE OF SOUTH DAKOTA

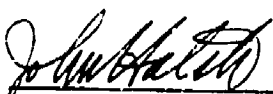
WATER LICENSE NO. 1216-3

(1) The South Dakota Department of Game, Fish and Parks, 523 E Capitol, Pierre SD 57501 made Application No. 1216-3, August 13, 1965 for a water permit to store 154 acre feet of water from runoff, Aurora County, South Dakota for public recreational purposes. Permit No. 1216-3, with a priority date of August 13, 1965 was approved November 17, 1965 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 17, 1968 and for the application to beneficial use of said water on or before November 17, 1968.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the dam with a storage capacity of 83 acre feet and is entitled to store sufficient water annually in Stickney Lake to maintain the water level at the outlet elevation. The location of the spillway is 1590 feet east and 100 feet south from the west quarter corner of Section 22-T102N-R63W (NE 1/4 SW 1/4).

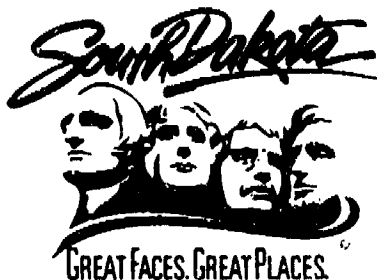
(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the South Dakota Department of Game, Fish and Parks, 523 E Capitol, Pierre SD 57501 the holder and/or owner of Water Permit No. 1216-3 is issued a license to appropriate water, the right to store 83 acre-feet of water from runoff with a priority date of August 13, 1965 from the location specified in (2) of this license. The water to be used for the purpose of public recreation. This license is subject to any limitations or qualifications listed in Water Permit No. 1216-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

SEP 6 1995
date



1216-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 6 1995

1216-3

Tim Olson
Water Permits Coordinator
South Dakota Department of
Game, Fish and Parks
523 E. Capitol
Pierre, SD 57501

Dear Mr. Olson:

Enclosed is Water License No. 1216-3. Water License No. 1216-3 is the final document which completes the process of obtaining a water right.

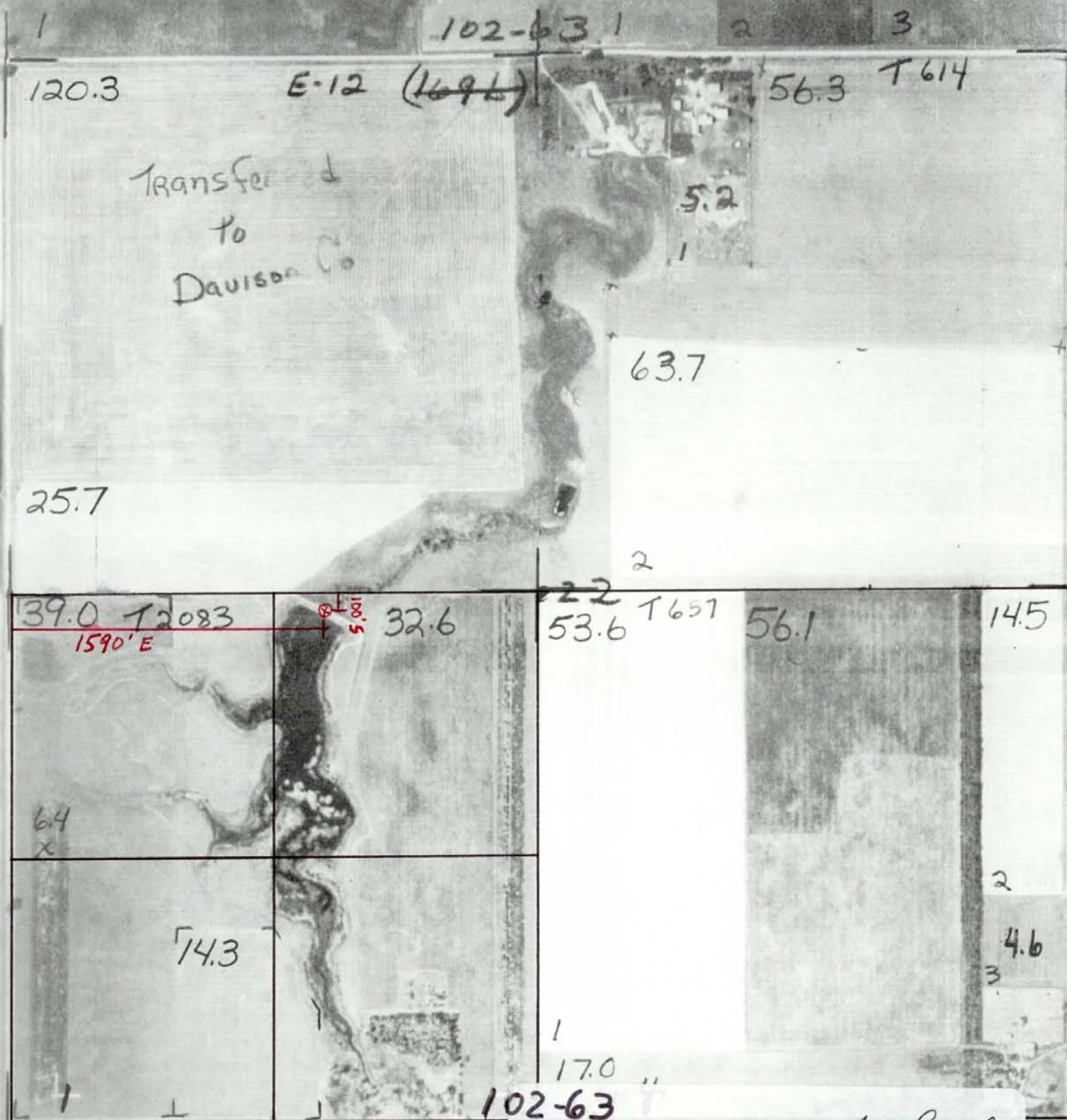
As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

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

gm
enclosures

NOT TO SCALE



Barry McLaury *Barry McLaury*
 Environmental Scientist
 Division of Water Rights
 Date 2-3-95

1216-3