

Water Right Number 1874-3

1. Considered May 19, 19 71
2. Name of Applicant the Department of Game, Fish and Parks
3. Post Office Address Pierre, S.D.
4. Amount of water claimed 810 ac.ft. initial fill and 270 ac.ft.ann. thereafter
5. Source of water supply Foster Creek through the Mirage Lake
6. Water to be used for public recreation

Acres to be irrigated -

7. Water to be diverted and used in Spink County
about 8 S Doland Miles of

8. Proof of Publication

Received ~~1971~~ 5-20-71

Not received

9. Application

Approved

Subject to

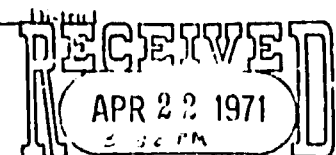
Not approved

Action deferred

10. Remarks:

No. 1874-3
 Map No. 1329-3 Water Division No. 3 JAMES RIVER
 (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 Game, Fish and Parks
 Postoffice address Pierre State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract-re-build WPA
3. Name of diversion work Mirage Lake
4. Amount of water claimed (cubic feet per second) 270 Ac. Ft. ANNUALLY
5. Source of water supply Poster Creek, Local watershed
NW 1/4 SW 1/4
6. Location of point of diversion ~~Section~~ 7-115-60

County Spink

7. Annual period or periods during which water is to be used continuous
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) public recreation
9. For irrigation use, Total number of acres to be irrigated _____

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system NA 2 years. Additional time required to complete application of water to the proposed beneficial use NA 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication: NA ABERDEEN AMERICAN NEWS
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

90 acres
18' max. depth

B. Works proposed to transport water to place of use.

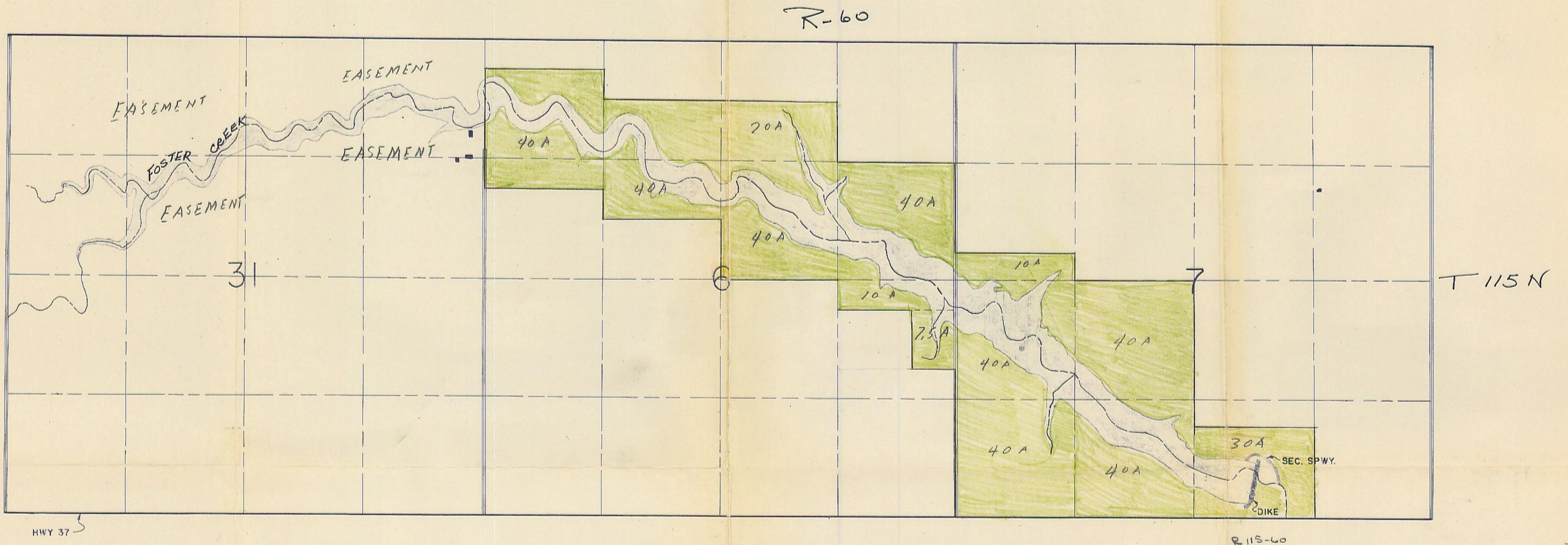
C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ \$100,000
 Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Hughes)I, R. A. Hodgins the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary constructionSigned R. A. HodginsSubscribed and sworn to before me this 22nd day of April 1971

Notary Public (or other qualified officer)



R 115-60

← 2 MIRAGE LAKE
SPARK CO.
4/22/71

WATER RIGHT APPLICATION APPROVAL:

The Water Resources Commission hereby approves Water Right Application No. 1874-3

DEPT. OF GAME, FISH & PARKS
(Applicant)

PIERRE
(Post Office Address)

SOUTH DAKOTA _____ With the following modifications
(State)

APPROVAL OF THIS PERMIT NO 1874-3 AUTHORIZES 810 ACRES
FEET OF WATER FOR INITIAL FILL AND 270 ACRES FEET ANNUALLY
THEREAFTER.

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE,
INCLUDING LIVESTOCK WATERING, MUST BE BYPASSED

Date of first receipt of application APRIL 22, 1971

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

Date of receipt of corrected application _____ 19____

Date of receipt of corrected application _____
Approved MAY 19 19 71, Recorded in Book 11 Page 342

WATER RIGHT PERMIT NO. 1874-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1874-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 22, 1971

2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 19, 1972

3. The whole of said work is to be completed on or before MAY 19, 1973

4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 19 1975

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

6. 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.

water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 270 ACRE FEET ANNUALLY neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for ~~the entire project~~ for public recreation and ~~and if for other irrigation purposes said appropriation must be limited to not more than 2 acre feet per season~~. ~~Limited to not more than one hundred and twenty acre feet of water per season~~

USED FOR PUBLIC RECREATION

actually and beneficially applied ~~to the project~~ on or before MAY 19 1975; said water to be used during the following described annual period: CONTINUOUS

Witness my hand this 20TH day of MAY 1971

WATER RESOURCES COMMISSION

iv

Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____ 19____

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property _____ rds. On property owned by others _____ rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Dam height	26 feet
Max. depth	18 feet
Surface area	90 acres
Storage cap.	810 acre feet.


Signature of Applicant

Form 8 - Proof of Publication - Notice of
Intent to Appropriately Water

No. 1874-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brown) ss.

I, Marlys Jeschke hereby
certify that the annexed printed copy of Notice of Intent to Appropriately

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 Aberdeen of

County of Brown and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

April 28, 1971

May 5, 1971

May 12, 1971

May 19, 1971

Marlys Jeschke
(Signature)

Principal Clerk
(Title)

May 19, 1971
(Date Signed)

(No. 24) - April 28-May 19, 1971
NOTICE
INTENT TO APPROPRIATE WATER
Pierre, South Dakota 57501
April 24, 1971
Notice is hereby given that the Department of Game, Fish and Parks, whose post office address is Pierre, South Dakota, has made an application in accordance with the provisions of the Water Law of South Dakota for a permit to appropriate for beneficial use 810 acre feet in 1971, 1972 and 1973, annually thereafter, of water of lime from Foster Creek through the Miraga Lake, the point of diversion of which is to be located in the NW 1/4 SW 1/4 of Section 7, Twp. 115N, Range 60W. Said water to be stored in place and used for public recreation purposes.
This application No. 1874-3 will be considered by the Water Resources Commission at their office at Pierre upon the 19th day of May, 1971, at 2:00 P.M. All interested persons may appear and be heard.
WATER RESOURCES COMMISSION
By: Burton F. Jones, Water Rights Specialist.

RECEIVED
MAY 20 1971

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

J. 1874-3Publish first publication, on or before April 21, 19 71NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 26, 19 71Notice is hereby given that the Department of Game, Fish and Parkswhose post office address is Pierre, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 810 acre feet initial fill and 270 acre feet annually thereafter / cubic feet of water per second of time from the Foster Creek through theMirage Lake, the point of diversion of which is to be located in the _____NW 1/4 SW 1/4of Section 7, Twp. 115N, Range 60W. Said water to be used for the purpose of~~storing water for irrigation purposes~~ storing water for the following described land:stored in place and used for public recreation purposesThis application No. 1874-3 will be considered by the Water Resources Commission at their office at Pierre upon the 19th day of May, 19 71, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialistcc: R.A. Hodgins, Director
Department of Game, Fish & Parks
Pierre, South Dakota

Permit No. 1874-3Water Division 3 JAMES RIVER Water District

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

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by DEPARTMENT OF GAME FISH & PARKS, PIERRE holderof Permit No. 1874-3, bearing date of priority of APRIL 22, 1971authorizing the ~~diversion~~ STORAGE of 270 ACRE FEET ANNUALLY ~~surface~~ surface of the water of FOSTER CREEKfor PUBLIC RECREATION purposes, in SPIRK 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:

DAM - 26' HIGH WITH 4:1 X 5:1 SLOPES - EARTH WITH ROCK RIP-RAP - 8' FREE BOARDPRIMARY SPILLWAY ON WEST SIDE - 60' WIDE - 8" WING WALLS
SECONDARY SPILLWAY ON E SIDE - 100-150' WIDE GRASSED

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

WATER IS STORED

C. Works used to apply water to beneficial use.

The system is in the following condition: GOODThe point of diversion is located DAM IS LOCATED IN NW¹SW¹ SECTION 7, T15N, R60WThe works are capable of ~~diverting and conveying to the place of use~~ STORING ALLOWED 270 ACRE FEET ANNUALLY
ABOUT 800 ACRE FEET - TOTAL
~~cu. ft. per second~~ of water which is to be used for PUBLIC RECREATION

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

LICENSE FEE: _____

Date AUGUST 19, 1982
[Signature]
 (Signature)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1874-3

(1) WHEREAS, On the 22nd day of April A. D. 19 71
~~the Department of Game, Fish & Parks~~

made Water Right Application No. 1874-3 for a permit to ~~use~~ store 270 acre feet of water of the water
~~of annually with an initial fill of 810 acre feet of water of Foster Creek~~
 County of Spink, State of South Dakota, for public recreation
 purposes; and

(2) WHEREAS, On the 19th day of May A. D. 19 71
 Permit No. 1874-3 with a date of priority of April 22, 1962

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 19th day of May A. D. 19 73 and for the
 application to beneficial use of said water on or before the 19th day of May A. D. 19 75

and:

(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~~ annually ~~store 270 acre~~ feet
~~per cent of water~~ for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to the application of water to beneficial use of the following extent,

~~water to be used in place for public recreation~~

(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 the Department of Game, Fish and Parks

_____ of Pierre, South Dakota

the holder _____ and owner _____ of said permit No. 1874-3 a water right, dating from April 22, 1971
_____ store 270 acre feet of water annually
_____ to ~~use~~ _____ cubic feet per second of the waters
of Foster Creek

in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be ~~located in~~ located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, T115N, R66W

and ~~conducted to and upon~~ stored in place

for the purpose of public recreation

Subject to any limitations listed in Water Right Permit No. 1874-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 2nd day of September A. D.

Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 1874-3

Water Diversion No. 3 James River Water District
10160006

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Department of Game, Fish & Parks

_____ the holder _____ of
Permit No. 1874-3, issued upon Application No. 1874-3, bearing date of priority of April 22, 1971
_____ authorizing the ~~diversion~~ ^{storage} of 270 ^{acre feet} ~~cfs. per second~~ of the water of annually
Foster Creek County of Spink, State of South Dakota at _____
located in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, T115N, R60W (CB)

_____, for public recreation

purposes, has s 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 storing a total of about 800 acre feet
~~directing and conveying to the place of intended use~~ cfs. per second of water.

Date September 2, 1982

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division