

Water Right Number 2049-3

1. Considered MARCH 20, 1974
2. Name of Applicant CITY OF HURON
3. Post Office Address _____
4. Amount of Water claimed 90 ACRE FEET STORAGE - 200 CFS.
5. Source of Water supply BROADLAND CREEK & JAMES RIVER
6. Water to be used for RECREATION & MUNICIPAL

Acres to be irrigated _____

7. Water to be diverted and used in BEADLE County
about IN CITY LIMITS miles _____ of _____

8. Proof of Publication

Received 1ST

Not Received _____

9. Application

Approved _____

Subject to _____

Not Approved _____

Action Deferred _____

10. Remarks:

No. 2049-3Map No. 1455-3 Water Division No. 3 JAMES RIVER District 1
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS COMMISSION
SIOUX, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE) - Draw a line through items not applicable

1. Name of Applicant Park and Recreation Department, City of Huron
Postoffice address Box 1369, State South Dakota 57350

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor3. Name of diversion work Raise spillway elevation one foot.4. Amount of water claimed (cubic feet per second) 40 ACRES FEET ANNUALLY WITH A DIVERSION RATE OF 2.00 CFS5. Source of water supply Dam at Ravine Lake across Broadland Creek and James River6. Location of point of diversion Spillway of Ravine Lake Dam in the S.E. 1/4 Section 6, T110N. R61WCounty Beadle7. Annual period or periods during which water is to be used Spring of the year during periods of run-off.8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) APRIL, MAY & JUNE Municipal and 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 Two years. Additional time required in complete application of water to the proposed beneficial use NA years.11. Choice of newspaper for Notice of Intent to Appropriate Water publication. Daily Plainsman

12. Principal Features of the Proposed Water Supply System.

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

Install Splash Boards to raise level of Ravine Lake one foot--Point number two.

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

Install pump to lift water from James River to Ravine Lake--Point number one.

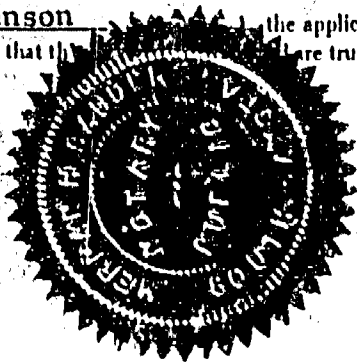
C. Works proposed to apply water to beneficial use.

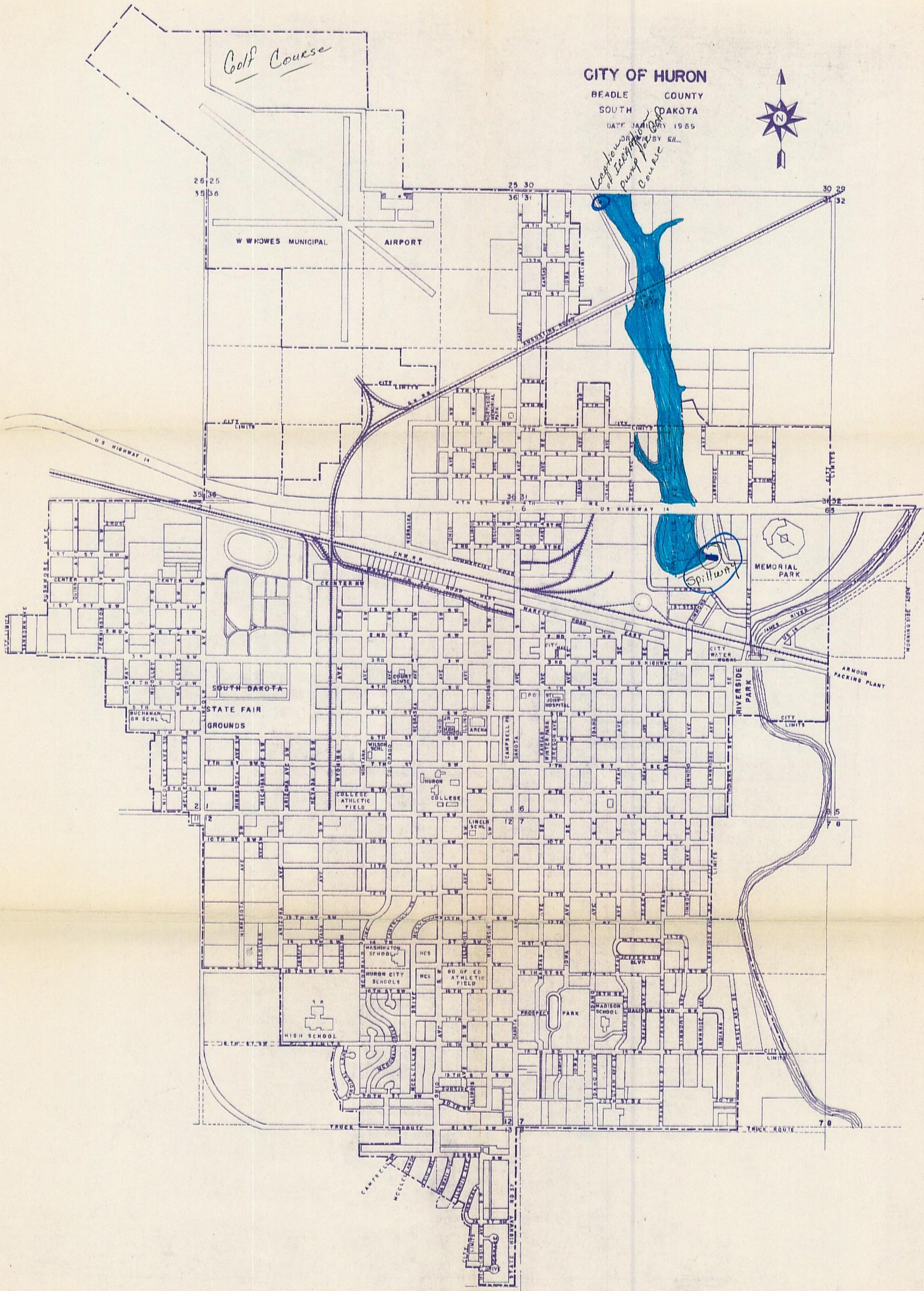
Estimated Total Cost \$2,500Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of BeadleI, LeRoy Benson, the applicant, certify that I have read the foregoing application and have examined the attached map and that the same are true and that I intend, and am able to complete the necessary construction.Signed LeRoy BensonWitness to before me this 12 day of February, 1974

Notary Public (or other qualified officer)





WATER RIGHT APPLICATION APPROVAL

WATER RIGHTS COMMISSION

The Water Resources Commission hereby approves Water Right Application No. 2049-3

CITY OF HURON

(Applicant)

Box 1369, HURON

(Post Office Address)

SOUTH DAKOTA

(State)

With the following modifications:

THIS PERMIT AUTHORIZES THE DIVERSION OF WATER FROM THE JAMES RIVER DURING THE MONTHS OF APRIL, MAY AND JUNE WHEN THERE ARE FLOWS IN EXCESS OF THOSE NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING LIVESTOCK WATERING, AND PRIOR WATER RIGHT USE.

APPROVAL OF THIS PERMIT AUTHORIZES ADDITIONAL STORAGE OF 90 ACRE FEET OF WATER ANNUALLY IN RAVERINE LAKE.

Date of first receipt of application

FEBRUARY 13 19 74

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

FEBRUARY 20 19 74

Date of receipt of corrected application

MARCH 4 19 74

Approved

MARCH 20 19 74

Recorded in Book

12

Page

338

WATER RIGHT PERMIT NO.

2049-3

WATER RIGHTS COMMISSION

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2049-3 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 FEBRUARY 13 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 20 19 75
3. The whole of said work is to be completed on or before MARCH 20 19 76
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 20 19 76
5. The water appropriated shall be used for the purpose of MUNICIPAL & 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.

7. The amount of the appropriation herein granted shall not exceed 90 ACRE FEET OF STORAGE OR A DIVERSION RATE OF 2.0 CFS cubic feet per second, neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for USE FOR MUNICIPAL & RECREATION

actually and beneficially applied for irrigation on or before MARCH 20 19 76 said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this

25TH

day of

MARCH

19 74

WATER RIGHTS COMMISSION

WATER RESOURCES COMMISSION

By:

Donald H. Pinner

Chief Engineer, Executive Officer

Certificate of Construction Issued

19

Water License Issued

19

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates NA

(1) Drill Hole, Diameter NA, Depth _____

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

(3) Perforated Screen.

Type NA, Diameter _____, Length _____

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

E. Dugout Information or Estimates. NA

(1) Surface dimensions NA, Depth NA

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

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

Character of Water bearing materials NA

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.

Water will be pumped from the James River through an existing 10-inch transmission line to Ravine Lake, and the level of Ravine Lake will be raised one foot by using 12 inch splash boards at the existing spillway as shown on the enclosed map.

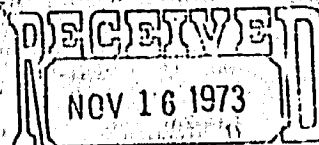
LeRoy Burson
Signature of Applicant

PARK and RECREATION DEPARTMENT

CITY OF HURON

Box 1369
Huron, South Dakota 57350
Phone 352-2689

October 9, 1973



Department of Natural Resources
Joe Grimmes, Director
Pierre, South Dakota 57501

STATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA

Dear Mr. Grimmes:

The Park & Recreation Department of Huron is interested in raising the water level of Ravine Lake two feet. The purposes of this move are to improve the condition of the water, more water to prevent freezing out the marine life and the City utilization of the water from the lake to irrigate the new Municipal Golf Course, built in 1973.

The Department feels that by raising the water level it will benefit man and marine life by providing more suitable fishing and protect property value by preventing lowering the lake to a dangerous level.

We are concerned about the legal aspect of adding 12" to 24 inch splash boards on the existing grill ways at Ravine Lake. The City Engineer measured the height and agreed that it would be feasible to add such boards.

If at all possible we would like your Department's permission or suggestions on completing this project this fall. Included are blue prints of the lake showing the spillway and their relationship with the lake and City.

We will appreciate any help you can give us.

Sincerely,

LeRoy Benson
Parks & Recreation Director

LB/m

352-6791

EX 28

FILE COPY

FILE COPY



INTER-DEPARTMENT CORRESPONDENCE

State of South Dakota

Robert L. Hanten

Ted Schenck

From Dept. of Fisheries Staff Specialist

To Dept. of Conservation Officer

Subject: Ravine Lake, Beadle County

Date: November 16, 1973

Ted:

I have been hearing rumors regarding Ravine Lake and the City of Huron planning to increase the lake's depth for golf course irrigation purposes. Would you check out the details?

The only information I have is a visit from Don Driscoll of Natural Resource Development. He informed me that LeRoy Benson, Parks & Recreation Director for the City of Huron has sent a diagram of the lake with a sketch indicating an increase for one of the spillways 2 foot. The primary purpose of this would provide additional water for irrigating the golf course. The only reservation I have concerning this plan is the shoreline erosion problems which would develop because of the new level. The fishery in the lake, as you know, is very marginal because of feedlot pollution.

What I would like to know is:

1. What is the ownership of the lake, and the land around the lake?
2. Is the Department mentioned in the titles or easements? (Apparently GF&P helped construct the lake in 1933). Do we have easements?
3. How much private land abuts the water?
4. Your feelings regarding the proposed plan?

Presently, the Department has water rights #804 for fish, wildlife and public recreation on 90 surfaces of Ravine Park Lake.

Sincerely,

LCH

Robert L. Hanten
Fisheries Staff Specialist

RLH/at

cc: Jerry Strackfuss
Jack Opitz

FILE COPY

FILE COPY

find reviewed - the enclosed letter from Driscoll. It put a little different light on this program but we still need to know the above mentioned items. Bk

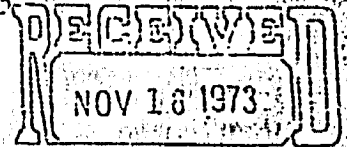
PARK and RECREATION DEPARTMENT

CITY OF HURON

Box 1369
Huron, South Dakota 57350
Phone 352-2539

October 9, 1973

Department of Natural Resources
Joe Grimmes, Director
Pierre, South Dakota 57501



STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA

Dear Mr. Grimmes:

The Park & Recreation Department of Huron is interested in raising the water level of Ravine Lake two feet. The purposes of this move are to improve the condition of the water, more water to prevent freezing out the marine life and the City utilization of the water from the lake to irrigate the new Municipal Golf Course, built in 1973.

The Department feels that by raising the water level it will benefit man and marine life by providing more suitable fishing and protect property value by preventing lowering the lake to a dangerous level.

We are concerned about the legal aspect of adding 12" to 24 inch splash boards on the existing spillways at Ravine Lake. The City Engineer measured the height and agreed that it would be feasible to add such boards.

If at all possible we would like your Department's permission or suggestions on completing this project this fall. Included are blue prints of the lake showing the spillway and their relationship with the lake and City.

We will appreciate any help you can give us.

Sincerely,

LeRoy Benson
Parks & Recreation Director

LB/zn



INTER-DEPARTMENT CORRESPONDENCE

State of South Dakota



From Dept. of Ted Schenck, CO

To Dept. of Robert Hanton, Staff Specialist

Subject Ravine Lake

Date December 6, 1973

Dear Bob:

Enclosed is the information that you requested on Ravine Lake and some thoughts I have had on the project.

1. From all indications, the City of Huron appears to own the lake. Land around the lake is owned by both the City and private individuals. Individuals owning land inundated by the lake do not pay taxes on the flooded land.
2. As far as I have been able to determine, the Department has not been mentioned in any of the easements or titles for land adjoining the lake. The City of Huron did enter into easement agreements with a number of landowners that owned land originally flooded by the initial construction. These easements agreements did specify the height of the dam, 13 feet. I have been unsuccessful in determining the elevation from which this height was measured.
3. Private land abuts the water in all areas except that shown in the attached map. The City has current plans calling for the development of the areas into a portion of a large recreation complex. The complex will include Ravine Lake offering fishing as an integral part of the complex.
4. My feelings on the project are these: I would like to see the lake developed into part of a fine recreation area. With the decrease in feedlot pollution that has taken place in the past two years, there has been a noticeable decrease in the amount of algae in the lake. This spring, the lake provided many area fishermen, of all ages, some very good perch and bass fishing. I feel confident that the lake could provide a valuable and greatly needed source of fishing recreation for young fishermen IF the water levels and quality can be maintained.
Current planning by the City is including determining how much additional land would be flooded and if there would be any additional shoreline erosion.
5. If the City takes all possible steps to insure the maintenance of water quality in the lake and to insure the prevention of lowering the lake to critical levels, I would wholeheartedly support the project.

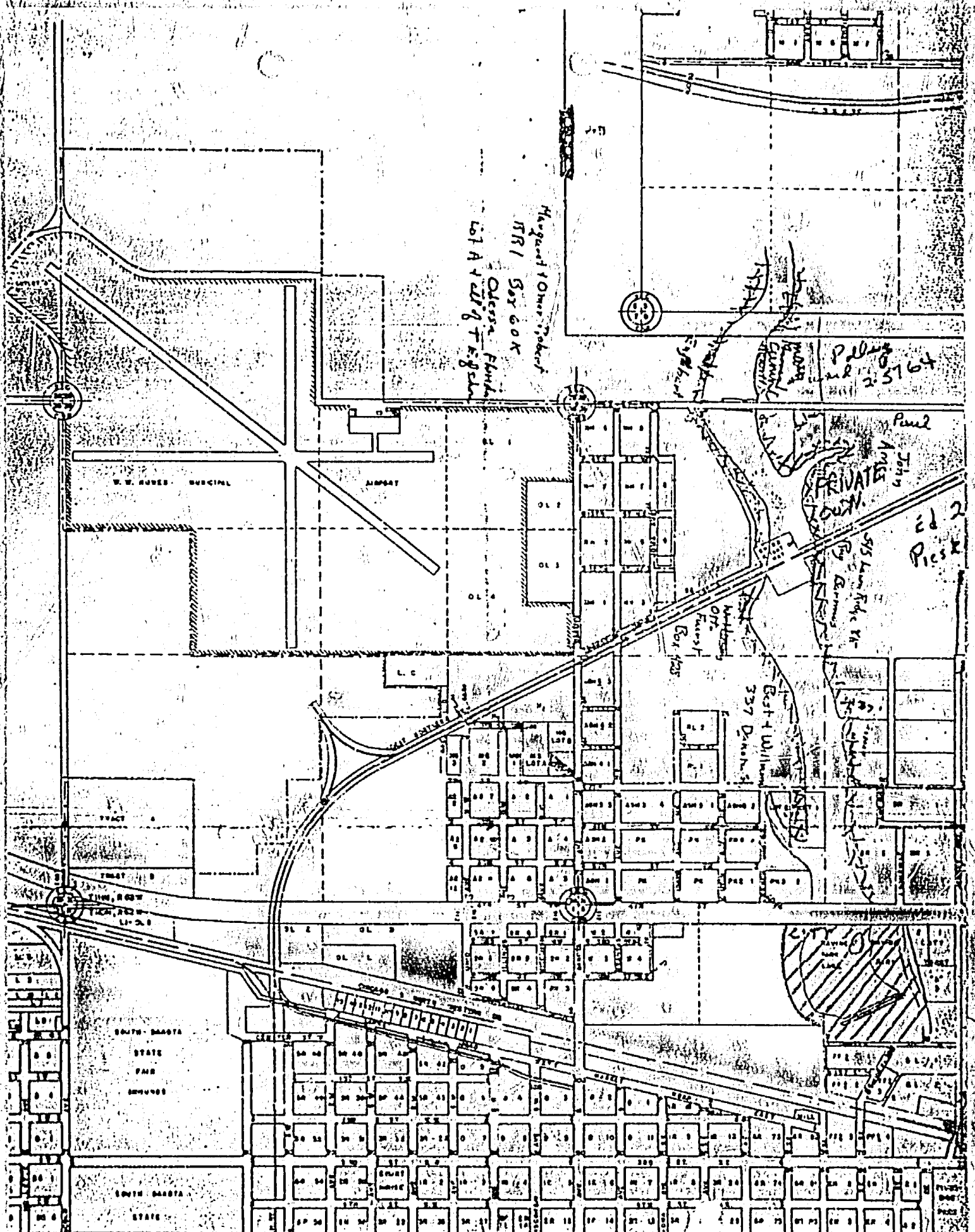
Sincerely,

Ted Schenck

Ted Schenck
Conservation Officer

Enc.

DEC - 7 1973



Publish first publication, on or before
March 7, 1974

Pierre, South Dakota
February 28, 1974

Notice is hereby given that the City of Huron, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate 90 acre feet of water at a diversion rate of 2.00 cubic feet of water per second of time from the James River and Broadland Creek, during the months of April, May and June, for storage in Ravina Lake, the point of diversion of which is to be located in the SE $\frac{1}{4}$, NE $\frac{1}{4}$ and in the NW $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 6, Twp. 110N, Range 61W. Said water to be used for the purpose of municipal and recreation purposes for the City of Huron.

This application No. 2049-3 will be considered by the Water Rights Commission at their office at Pierre upon the 20th day of March, 1974, at 2:30 P.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

BY:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Mr. LeRoy Banson, Director, Parks and Recreation Department,
Box 1369, Huron, South Dakota 57350

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Beadle)

I, Dorothy Murphy hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Huron Daily Plainsman

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 Huron

County of Beadle and State of South Dakota;
that the said notice was published in said newspaper on the following

Two ~~four~~ dates:

March 7, 1974

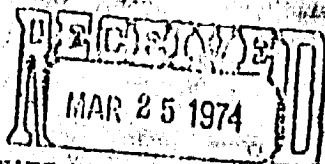
March 14, 1974

Dorothy Murphy
(Signature)

Bookkeeper
(Title)

3-14-74
(Date Signed)

PUBLIC NOTICE
F.P. 3-7-74
FORM 8
NOTICE OF INTENT
TO APPROPRIATE WATER
Notice is hereby given that the
City of Huron, South Dakota, has
made an application in accordance
with the provisions of the water laws
of South Dakota for a permit to
appropriate 0.0 acre (ft) of water at a
diversion rate of 2.00 cubic feet of
water per second of time from the
James River and Broadland Creek
during the months of April, May and
June, for storage in Ravine Lake,
the point of diversion of which is to
be located in the SW 1/4 NE 1/4 and in
the NW 1/4 NE 1/4 of Section 2, Twp.
11N, Range 61W, said water to be
used for the purpose of municipal
and recreation purposes for the City
of Huron.
This application No. 2049-3 will be
considered by the Water Rights
Commission at their office at Pierre
on the 20th day of March, 1974, at
2:30 P.M. All interested persons
may appear and be heard.
Water Rights Commission
By: Burton F. Jones
Water Rights Specialist
cc: Mr. LeRoy Benson, Director
Parks and Recreation Department
Box 1369, Huron, South Dakota
57350
(No. 113 (2-74))



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

December 7, 1976

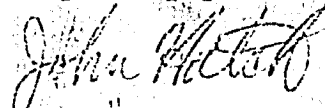
Dennis Decker, Mayor
City of Huron
Huron, South Dakota 57350

Dear Mayor Decker

The City Commission at their August 30, 1976 meeting requested that we determine if the City of Huron could obtain a Water Right on Lake Bryon. After some delay, we have studied this possibility.

The South Dakota Game, Fish and Parks Department has a Water Right on Bryon Lake at this time. Since the Lake is to be part of the Oahe Project when constructed, we do not believe the City of Huron can obtain a Water Right for water from Bryon Lake.

Very truly yours,



John Hatch, Chief Engineer
Water Rights Commission

JH/kb

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

June 16, 1982

Laron Klock
Parks & Recreation Dept.
City of Huron
Box 1369
Huron SD 57350

Dear Mr. Klock:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 2049-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

You will also receive the Certificate of Construction as required by statute.

Sincerely,

KAREN SCHLAACK
Administrative Secretary

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

WNR-814-7/79

Notification of Water License Ready for Issuing (\$50.00)

Permit No. 2049-3
 Water 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 CITY OF HURON
PARKS & REC. DEPT of HURON holder.

of Permit No. 2049-3, bearing date of priority of FEBRUARY 13, 1974
 authorizing the diversion of 2.0 cu. ft. per second of the waters of THE JAMES RIVER
 for RECREATION purposes, in BEADLE 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:

WET WELL WITH 10" INTAKE TO JAMES RIVER
 WESTERN LAND ROLLER 8" PUMP, POWERED
 BY 20 HP US ELECTRIC MOTOR.

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

1250' OF BURIED 10" PLASTIC LINE TO
 RAVINE LAKE

C. Works used to apply water to beneficial use.

OPEN DISCHARGE INTO RAVINE LAKE STORAGE

The system is in the following condition: GOOD

The point of diversion is located 290' ± 1350' W OF THE SE CORNER,
SECTION 6, T110N, R11W

The works are capable of diverting and conveying to the place of use 2.0 (900 GPM)
 cu. ft. per second of water; which is to be used for RECREATIONAL PURPOSES

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

comprising a total of _____ acres of land.

Sub to

LARSEN, BOB
 Parks & Recreation
 City of Huron
 Box 1229
 Huron, SD 57350

Date MAY 3, 1974

[Signature]
 (Signature)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2049-3

(1) WHEREAS, On the 13th day of February A. D. 19 74
the City of Huron

made Water Right Application No. 2049-3 for a permit to use 2.0 cubic feet per second of the waters
 of the James River

County of Beadle, State of South Dakota, for municipal and recreational
purposes; and

(2) WHEREAS, On the 20th day of March A. D. 19 74

Permit No. 2049-3, with a date of priority of February 13, 1974
 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 20th day of March A. D. 19 76 and for the
 application to beneficial use of said water on or before the 20th day of March A. D. 19 76

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 2.0 cubic feet
 per second 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 for municipal and recreational purposes for the City of Huron

(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 City of Huron, South Dakota

the holder XX and owner XX of said permit No. 2049-3 a water right, dating from February 13, 1974 to use of 2.0 cubic feet per second of the waters

of the James River in the County of Beadle and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 2900'N and 1350'W of the SE corner, Section 6 T110N, R61W

and conducted ~~XXXXXX~~ through a pipeline with open discharge to Ravine lake

for the purpose of municipal and recreational use

Subject to any limitations listed in Water Right Permit No. 2049-3 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 July A. D.
Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

2049-3

Permit No. _____

Water Diversion No. 3 James River Water District

10160906

CERTIFICATE OF CONSTRUCTION

This is to Certify, That _____ the City of Huron

_____ the holder _____ of
Permit No. 2049-3, issued upon Application No. 2049-3, bearing date of priority of February 13,
1974 authorizing the diversion of 2.0 cu. ft. per second of the waters of _____
the James River County of Beadle, State of South Dakota at _____
a point 2900'H and 1350'W of the SE corner, Section 6, T110N, R61W

_____, for recreational and municipal

purposes, has 5 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 2.0 cu. ft. per second of water.

Date July 2, 1982

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8881

PIERRE, June 30, 19 82

RECEIVED OF City of Huron, P.O. Box 1369, Huron, SD 57350

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and issuing Cert. of Construction No. 2019-3	50	00
Fee for Inspecting Beneficial Use, and issuing Water License No. 2049-3		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (ms)

Water Rights Division - DWR
Conversation or File Documentation

7-3
9-3A
File No. 755-3
1022-
2049-3

NAME OF PERSON OR FILE: City of Huron

ADDRESS: Huron SD 57350 COUNTY Beadle

DATE: 12/19/85 TELEPHONE _____

RE: _____

COMMENTS:

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

1) motor: General Electric, 1750 rpm pump: Fairbanks Morse
M.N. 5K6238XMS01B S.N. K3A2080910-1
S.N. JMJ922336, 50 hp. 1750 rpm, size: 15H

2) motor: General Electric, 1750 rpm pump: Fairbanks Morse
M.N. 5K6237XMS01B S.N. K3A2080909
S.N. KMJ1013331, 40 hp. 1750 rpm, size: 13H

3) motor: General Electric, 1750 rpm pump: Fairbanks Morse
M.N. 5K6238XMS01B S.N. K3A2080910
S.N. JMJ922331, 50 hp. 1750 rpm, size: 15H

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

4) motor: U.S. Electrical pump: Western Land Reller
S.N. 2890363 S.N. 959380
1800 rpm, 20 hp.

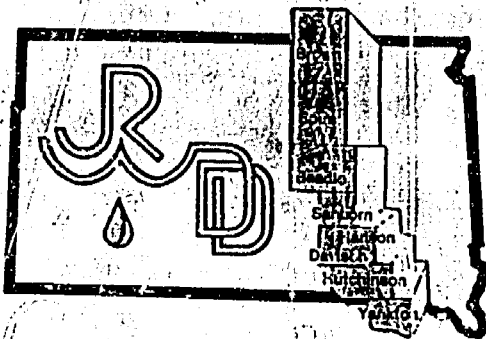
4) Used for pumping from James River to Ravine Lake.

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

NAME: Ron Dammell

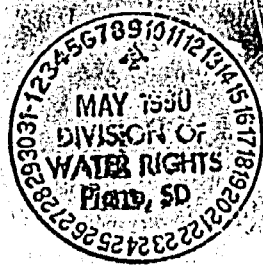
James River Water Development District

STAFF:
Jerry Bledenfeld, Manager
Kathy Cronin, Office Manager
Terry Mills, Water Project Coordinator
City Hall P.O. Box 849
Huron, SD 57350
605-352-0600



BOARD OF DIRECTORS

DON BARBER-Mitchell
CLINTON BAUER-Freeman
TOM FISCHBACH-Warner
DAN KOUPAL-Mitchell
MERLE LEWIS-Huron
RAY METTLER-McNee
LAUREN STUCK-Melleke
W.J. "Jo" VAN DEROSTYI-E-Alder
IRVING WESSEL-Huron



May 8, 1990

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

Dear Mr. Hatch:

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

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

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

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

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

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

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

Sincerely,


Merle D. Lewis, Chairman
James River Water Development District

cc: Norm Ambrosius, Huron Water Commissioner
JH0502

SOUTH DAKOTA
Department of
Water & Natural Resources

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

May 25, 1990

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

Dear Mr. Lewis:

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

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

A) SURFACE WATER:

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

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

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

B) GROUNDWATER:

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

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

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

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

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

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

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

May 25, 1990

Merle D. Lewis, Chairman

Page 3

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

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

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

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

May 25, 1990

Merle D. Lewis, Chairman

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If you have any other questions, please contact us.

Very truly yours,



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

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HOWES MUNICIPAL AIRPORT

HURON

McKinley Sch

THERESA

HURON

Number Two Point
of Diversion
Ravine Lake
Spillway

MEMORIAL PARK

Morningside

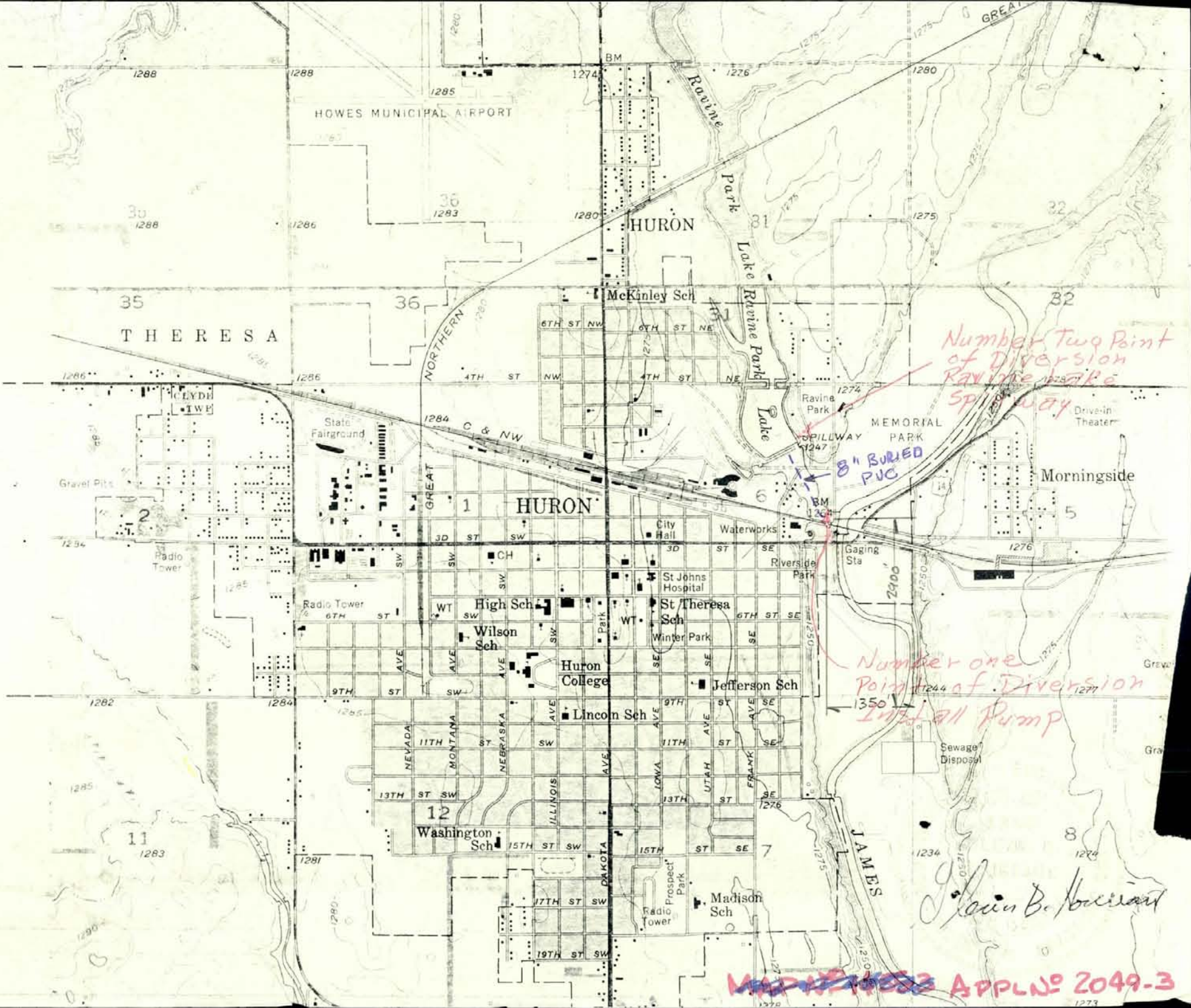
Number One Point
of Diversion
Install Pump

MAP NO. 1553 APP. NO. 2049.3

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 7, 2006

**JAMES RIVER WATER RIGHT QUALIFICATION REMINDER
WATER RIGHT NO(s). 2049-3**

To: CITY OF HURON
PO BOX 1369
HURON SD 57350

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

Subject: James River Qualification Reminder for Permit No(s). 2049-3

Qualifications on you water right indicate that you are not authorized to divert James River water after June 30th. Please, consider this a reminder and cease diversion if you have not already done so. You may resume diversion on the date stated in the qualifications on your water right.



**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

2049-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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



APR 28 2022

City of Huron
Chad Schroder, Parks & Recreation Director
PO Box 1369
Huron SD 57350

Dear Mr. Schroder:

Enclosed are Water Permit and Water License No. 2049A-3. These are the final water right documents completing your process of obtaining a Water Right.

As long as the city uses the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

Note: The applicable portions of No. 2049-3 are incorporated into Water License No. 2049A-3.

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

September 6, 2022

2049-3, 2049A-3

Chad Schroeder
City of Huron, Parks and Recreation Director
PO Box 1369
Huron SD 57350

Dear Mr. Schroeder:

This letter is in reference to your September 6, 2022, request for an extension to pump water from the James River beyond the August 10 shutoff date. Flows in the James River in the reach between the confluence with the North Dakota Border and the Huron are sufficient at this time to allow an extension. Because there is sufficient flow in the James River, I am granting your request to extend the shutoff date for your water permit out of the James River and allow you to divert through October 31, 2022. You are not authorized to exceed the annual total diversion limit of 361 acre-feet of water from the James River as specified in the permit.

In the event dry climatic conditions in the river basin causes river flow to significantly decrease and flow measured at the USGS stream gaging station James River at Huron drops to below 20 cfs, you will be contacted and provided orders to cease pumping. Realtime flows in the James River can be monitored by going to the following website:

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

If you have any questions, please contact Mark Rath of the Water Rights Program at phone (605) 773-3352.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program