

1. Considered January 28 1981

2. Name of Applicant U.S. Fish and Wildlife Service

3. Post Office Address P.O. Box 25486, Denver Federal Center
Denver Co. 80225

4. Amount of Water Claimed 341 Initial fill, 180 ac.ft. annually thereafter

5. Source of Water Supply Two Dikes

6. Water to be used for Fish and Wildlife production

7. Acres to be irrigated maximum acre feet

8. Water to be diverted and used in Roberts County
about 8 miles WEST of SISSETON

9. PROOF OF PUBLICATION Received (initials) 12-30-80
Not Received _____

APPLICATION Approved 1/28/81
Subject to Row 7 Row 8
Not Approved _____
Action deferred _____

Priority 8/14/80 Date Aug. 14, 1980 Application Complete yes x no _____ FEE 250.00

12/4/80 Remarks 341 ac-ft initial fill - to conform with Board's policy
of 3 ac-ft annually = 180 ac-ft annually thereafter

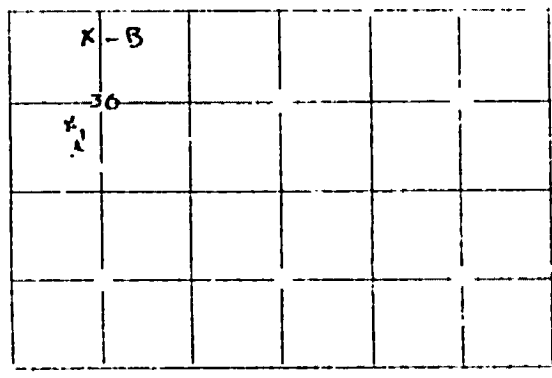
Date information and/or Fee received December 4, 1980
fee or corrected Application received XXXXXXXXXX222X222X222X222X222X
Period of Annual use January 1, December 31st.

WATER
QUALITY

n/a

Received yes _____ no _____ APPROVED/CONDITIONAL (Circle one)
WI-1 Description same as application yes _____ no _____ Remarks _____

Disapproved _____ Returned _____



Diversion Point _____
Dike A - NE⁴ SW⁴ & Dike
B in NE⁴ NW⁴
30-126N - 52W
Lands to be irrigated _____

WELL LOG
Remarks Plans and Specs with application showing size, etc of the dikes
Driller _____ Licensed yes _____ no _____
Depth _____

MAP

Map No. 3797-3 Map located in Water Right X Map file _____

Type of Map Drawn Prepared by PE, Marshal Fox

+++++

REVIEWED

This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 1/28/81

(Signed)

+++++

PROTESTS

Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS

Date _____
F.F. & C Final Decision, including F.F. & C of Law were adopted _____

OF LAW,

Date _____

FINAL

Final Decision mailed to parties and/or parties notified that Final Decision

DECISIONS

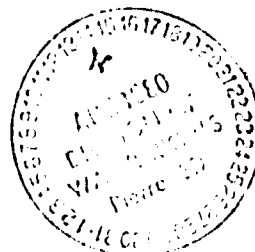
ETC.

was adopted _____

Remarks _____

No. 4579-3

Map No. 3797-3 Water Division No. 3 JAMES RIVER District
Above for Office Use 10160010



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

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant U.S. Fish & Wildlife Service Phone No. (303) 234-3616
Post Office Address P.O. Box 25486, Denver Federal Center State Colorado 80225
(Street, RR, or Box) (Town) (Zip Code)
If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract

3. Name of diversion work Overberg WPA dikes

4. Amount of water claimed (cubic feet per second) Average summer discharge 4.6 cfs (see attachment)

5. Source of water supply runoff tributary to Buffalo Lake for a total of 341 acre-feet INITIAL FILL

6. Location of point of diversion Dike "A" - Point of diversion bears south 26°46'15" east 3771.56 feet from NW corner of Section 30. Dike "B" - Point of diversion bears south 70°00'39" east 2447.94 feet from NW corner of Section 30. County Roberts

7. Annual period or periods during which water is to be used January 1 - December 31

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) fish and wildlife

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 _____ years. Additional time required to complete application of water to the proposed beneficial use _____ years. Completed October 1979

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Sisseton Courier

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. None

B. Works proposed to transport water to place of use. None

C. Works proposed to apply water to beneficial use. 2 dikes, one 8-feet high and 180-feet long and one 7-feet high and 250-feet long, to impound 60 surface acres of water.

Estimated Total Cost \$ 14,880.00

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~~)
COLORADO) s.
County of JEFFERSON)

I, Jerald J. Wilson 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 construction.

Signed Jerald J. Wilson

Subscribed and sworn to before me this 11 day of August, 1980

Joseph W. Kitcher
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

4579-3

The Board of Water Management hereby approves Water Right Application No. _____
 U.S. FISH AND WILDLIFE SERVICE P.O. Box 25486, Denver Federal Center
 (Post Office Address)
 Denver, Colorado (Applicant) 80225 With the following qualifications.
 (State)

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING
 LIVESTOCK WATERING MUST BE BY-PASSED.

Date of first receipt of application AUGUST 14, 1980
 Date of return to applicant for correction, amendments or changes required AUGUST 14, 1980
 Date of receipt of corrected application DECEMBER 4, 1980
 Approved JANUARY 28, 1981, Recorded in Book 22 Page 1

WATER RIGHT PERMIT NO. 4579-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4579-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is DECEMBER 4, 1980
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____, 19____
3. The whole of said work is to be completed on or before _____, 19____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED, 19____
5. The water appropriated shall be used for the purpose of FISH & WILDLIFE PRODUCTION

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 341 AC FT. INITIAL FILL WITH 180 AC FT ANN. THEREAFTER 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 beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and 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 USED FOR FISH & WILDLIFE PRODUCTION for irrigation on or before THIS DATE 19____; said water to be used during the following described

annual period: CONTINUOUSLY

Witness my hand this 24th day of FEBRUARY, 1981

THE BOARD OF WATER MANAGEMENT

By John Hatch
 Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

OVERBERG WPA

<u>STORM</u>		<u>INCHES</u>	<u>PEAK RATE</u> <u>CFS</u>
2 yr	24 hr	2.4	140
10 yr	24 hr	3.7	370
25 yr	24 hr	4.3	500
50 yr	24 hr	4.9	625

The average annual precipitation is 23 inches. This will run off in approximately 3 months which includes spring snowmelt.

$$\frac{23}{12} \times 490 \div 90 = 5.22 \text{ cfs}$$

$$\frac{\text{Inches Rainfall}}{\text{Inches/Foot}} \times \text{Acres} \div \frac{\text{Days in 3 Months}}{\text{Acre-Feet cfs/day}} = \text{Runoff in cfs if 100\% runoff}$$

5.22 cfs would run off if there were no evaporation, sublimation, infiltration or evapotranspiration. With the clay soil in the area, we assume 85-90% will run off. Therefore, 5.22 cfs x 88% = 4.6 cfs x 2 = 9.2 acre-feet per day of possible available storage waters during a 90-day period, with a total average annual runoff of 828 acre-feet of water. Only 341 acre-feet will be diverted and stored annually.

(1) Drill Hole, Diameter _____, Depth _____

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

(3) Screen, Type _____, Diameter _____, Length _____

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

(1) Surface dimensions, _____, Depth _____

(1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

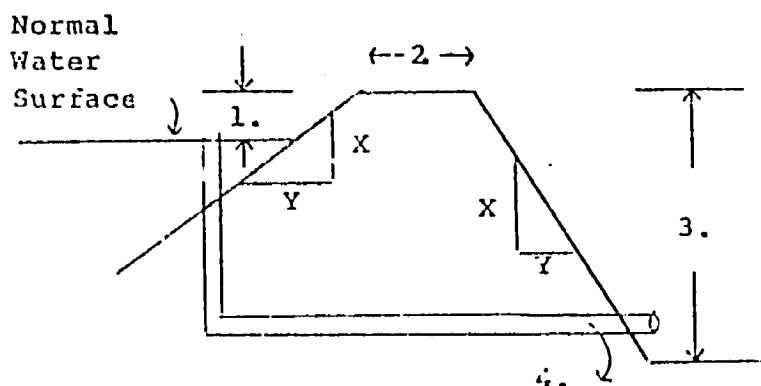
Depth to water (ground surface to water level) _____

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

On same owner's property _____ rds.

On property owned by others _____ rds.

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



1. Freeboard 2 feet
2. Crest width 12 feet
3. Height of Dam 8 feet
4. Outlet dimensions: 48"
Pipe diameter _____
Spillway width 5'
X & Y slope: 2½:1
Upstream _____
Downstream 2½:1
Surface area of impoundment
50 acres, 300 acre-feet
Drainage area above dam
490 acres

the next morning

James J. Wilson

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

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____ (wood, concrete, steel, etc.) Diameter _____ Thickness _____
- (3) 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 (Attach a copy of test well log)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

- (2) Distance to nearest existing household or livestock watering well

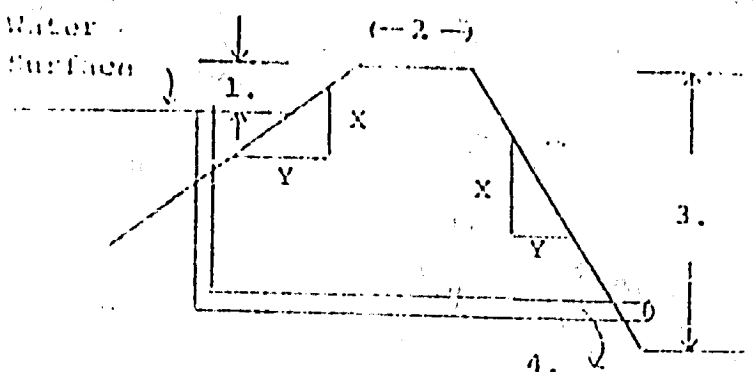
On same owner's property _____ rds.

On property owned by others _____ rds.

G. Water Storage Dams - Dike "B".

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

Normal
Water
Surface



1. Freeboard 2.4 feet

2. Crest width 12 feet

3. Height of Dam 7 feet

4. Outlet dimensions

Pipe diameter 36 inches

Natural spillway 200 feet

Spillway width 3.5 feet

X & Y slope

Upstream 2½:1

Downstream 2½:1

Surface area of impoundment

10 acres, 41 acre-feet

Drainage area above dam

190 acres

30 ac. ft. annually

David E. Wilson

No. 4579-3

Publish first publication, on or before December 18, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 10, 1980

Notice is hereby given U.S. Fish & Wildlife Service whose post office address is Denver, Colorado. ~~XXXXXX~~ has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Board Rules ARSD 52:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 341 acre ~~XXXXXX~~ feet of initial fill with 180 acre feet of storage annually thereafter from ~~XXXXXX~~ runoff tributary to Buffalo Lake through the Overberg WPA Dike, the point(s) of diversion of which ~~xxx~~ (are) to be located Dike A in the NE 1/4 SW 1/4 and Dike B in the NE 1/4 NW 1/4

of Section 30, Twp. 126N, Range 52W. Said water to be used for the purpose of providing ~~XXXXXX~~ water supplies for fish and wildlife production

This Application No. 4579-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Building Church & Illinois, Pierre SD upon the 28th day of January, 1981 at 10 A. M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: U.S. Fish & Wildlife Service
P.O. Box 25486
Denver Federal Center
Denver Co 80225

BETTY WESTLUND
Water Rights Specialist

WNR-606B-7/79 Notice of Intent to Appropriate Water
SURFACE WATER

No. 1579-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County ROBERTS) ss.

NOTICE OF HEARING
ON APPLICATION
FOR APPROPRIATE WATER
Pierre, SD

December 1

Sisseton Col

I, JACK ADAMS hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the SISSETON COURIER

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 SISSETON

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

Dec. 18, 1980

Dec. 25, 1980

[Signature]
(Signature)

PUBLISHER
(Title)

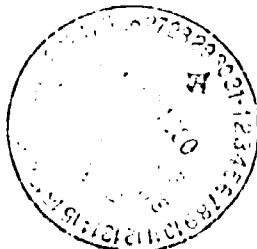
Dec. 26, 1980
(Date Signed)

Notice is hereby given
Fish & Wildlife Service,
post office address is Du
Colorado, has made an
application in accordance with
provisions of SDCL 46-1-1
46-1-9, 46-1-14; 46-2-9 thru
11, 46-2-13; 46-5-1 thru 46-5-8, 46-
5-10 thru 46-5-22, 46-5-41, and
Board Rules AHSD 52:01:01:01
thru 52:01:01:13, for a permit to
appropriate for beneficial use
341 acre feet of initial fill with
180 acre feet of storage annually
thereafter from water runoff
tributary to Buffalo Lake
through the Overberg WPA
Dikes, the points of diversion of
which are to be located Dike A
in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and Dike B in
the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30,
Twp. 126N, Range 52W. Said
water to be used for the purpose
of water supply for Fish and
Wildlife production.

This Application No. 4579-3
will be considered by the Water
Management Board at Meeting
Room No. 1, Kreip Building,
Church & Illinois, Pierre, SD
upon the 28th day of January,
1981 at 10 a.m. The Board is
authorized to make a deter-
mination on this application at
the hearing. All interested
persons may appear and be
heard. Any person who may be
affected by a Board decision
who desires to present evidence
or cross-examine witnesses
according to SDCL 1-26 may
notify the Board in writing prior
to the hearing or orally at the
hearing.

This hearing is an adversary
proceeding. Any person 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 at the hearing.
Decisions of the Board may be
appealed to the Courts as
provided by law.

Any handicapped person



RECEIPT

WATER RIGHTS COMMISSION

No 4 7803

State of South Dakota

PIERRE, December 11, 1930

RECEIVED OF U.S. Fish & Wildlife Service, PO Box 25480, Denver Federal Center,
the following amount in fees for services rendered as provided for by law: Denver, CO 80225

Fee for Application for Permit to Appropriate Water No. 4570-2 (examination, processing, recording and filing) -----	250	00
Fee for inspecting Construction, and issuing Cert. of Construction No -----		
Fee for inspecting Beneficial Use, and issuing Water License No -----		
Fee for issuing Location Certificate-Dry Draw, No -----		
Fee for filling -----		
Fee for certified copy of -----		
Fee for Print copy of map -----		
Fee for Certifying -----		
Fee for -----		
(any other work as provided by law)		
TOTAL	250	00

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer
John Hatch 1/05

INVITATION NO. FWS-6-78-100
WAUBAY NATIONAL WILDLIFE REFUGE

INDEX

TECHNICAL SPECIFICATIONS

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DIVISION 3 THROUGH 16

NOT USED

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NOT USED

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A. WORK UNDER THIS CONTRACT

1. The Project Includes:

- a. Clearing of growth from areas where dike is to be constructed and where borrow material is obtained.
- b. Shaping and sloping dike banks and borrow areas for drainage.
- c. Construct corrugated metal pipe and stop log checks.

2. Commencement, Prosecution and Completion of Work.

The Contractor shall begin work within ten (10) calendar days after receipt of notice to proceed. The Contractor shall continue performance of the work under the Contract without delay or interruption except by causes beyond his control as defined in the General Provisions of the contract, or by the receipt of a "Stop Work Order" issued by the Government. Failure to do so will be considered a breach of contract. The Contractor shall complete all work within 45 calendar days from the date of receipt of the notice to proceed; provided, however, that the time allowed for the completion of the work may be reduced by one (1) calendar day for each calendar day's delay in excess of ten (10) calendar days, or any extension thereof, in returning properly executed contract, and if required, performance and payment bonds.

3. Liquidated Damages.

Time is of the essence for this contract. If the work is not completed on or before the date fixed for its completion, the Contractor shall pay to the Government, as fixed, agreed, and liquidated damages, the sum of \$25.00 per day for each calendar day's delay until the work is satisfactorily completed.

The Contracting Officer's Authorized Representative is William A. Godby, Regional Engineer, P.O. Box 25486, DFC, Denver, CO 80225; Telephone: (303) 234-3616. The Authorized Representative will designate an employee or employees to provide on-site inspection and/or supervision of the work. Such inspector will be responsible for giving the Contractor any special instructions or guidance necessary to complete the work in an orderly manner.

SECTION 01010
SUMMARY OF THE WORK

4. Site Inspection:

Prospective bidders are expected and urged to make an examination of the work sites. It will be the responsibility of each bidder to determine, to his satisfaction, working conditions incident to successful completion of the contract.

5. Specifications:

- a. Copies of the American Society for Testing Material Specifications referred to herein may be obtained for a nominal charge by contacting the Society at 1916 Race Street, Philadelphia, PA 19103.
- b. South Dakota Standard Specifications for Highway Construction, obtainable from State Highway Department.

6. Preservation of Vegetation:

- a. The Contractor shall exercise care to preserve the natural landscape and shall conduct his construction operations so as to prevent any unnecessary destruction of the natural surroundings.

7. Disposal:

All excess materials, including rubbish and all debris resulting from the required new work shall be hauled to approved dump sites or disposed of as directed by the Contracting Officer.

8. Setting of Grades:

- a. Elevations, slopes, and grades are shown on the drawings. Any survey staking to establish slopes and finish grade or other control staking will be the responsibility of the Contractor.

END OF SECTION 01010

SECTION 01300
SUBMITTALS

Submittals of certificates (letters) for compliance of materials to specifications shall be submitted to the Contracting Officer for approval prior to their use. Submittals for approval shall include sheet metal, structural steel, lumber and wood preservatives.

END OF SECTION 01300

SECTION 01550
ACCESS ROADS

A. ACCESS TO SITE

1. Access to the site is readily available by vehicle. Movement of crews and equipment within the right-of-way and over routes provided for access to the work shall be performed in a manner to prevent damage to grazing land, crops, or property.

END OF SECTION 01550

END OF DIVISION 1

DIVISION 2
SITE WORK

SECTION 02100
CLEARING

- A. Clearing for borrow area of embankment shall be kept to a minimum.
1. Stripping. Vegetation shall be stripped for the entire width of the top of the dike where it exists and shall be stripped in a manner as to remove most of the roots and inhibit regrowth.
 2. Cleanup. After construction of the dikes is complete, the topsoil and removed vegetation shall be respread over the borrow areas to help grass cover restart.

END OF SECTION 02100

SECTION 02200
EARTHWORK

A. GENERAL

1. Work under this section shall include all earthwork necessary to construct dikes and install water control structures.
2. Dike and embankment material shall be free of frozen material, brush, trees, roots over 2 inches in diameter and rocks over 6 inches in diameter.
3. Borrow material shall be obtained from designated areas as shown on plan.

B. PLACING EMBANKMENT AND DIKE EARTHWORK

1. All areas on which dike and embankment material is to be placed shall be scarified to a depth of 6 inches.
2. Dike and embankment shall be compacted by multiple passes over entire width with a heavy equipment machine. Optimum moisture content of the fill material shall be maintained during compacting operations by drying or wetting as directed by the Contracting Officer.

END OF SECTION 02200

SECTION 02513
DRAINAGE STRUCTURES

A. SCOPE

The work includes furnishing and installing two water control structures as shown on drawings.

B. MATERIALS

1. Sheet Metal. The sheet metal shall be carbon steel or structural quality conforming to ASTM A-245 Grade D.
2. Structural Steel. The structural steel shall conform to ASTM A-36.
3. Stop Logs. All lumber used for flashboards shall be pressure treated with recommended preservatives with retentions and penetrations as set forth in the current AWWA Standard P-5, for water born preservatives.

All lumber shall be furnished in accordance with MM-L-751C and shall be Douglas fir, west coast type. The Douglas fir shall be graded in accordance with the Standard Grading and Dressing Rules for West Coast Lumber of the Western Wood Products Association and shall be of stress grade No. 1.

4. Gratings. Galvanized 18 ga. "United Interlock Grating" or approved equal.
5. Arc Welding Electrodes. All arc welding electrodes shall be in accordance with the latest edition of the American Welding Society Specifications for Iron and Steel Arc Welding Electrodes, and shall be suitable for the position and other conditions of intended use.

C. SHOP DRAWINGS

Show complete details and schedules (if required) for fabrication, assembly and erection.

SECTION 02513
DRAINAGE STRUCTURES

D. CONSTRUCTION REQUIREMENTS

1. Fabrication. The structures shall be constructed to the dimensions shown on the drawings within a tolerance of 1/4 inch. They shall be constructed of 12 gauge structural steel sheets unless otherwise shown on the drawings, and shall be braced and reinforced as shown on the drawings.
2. Location. The location of the structures shown on the plan are approximate and may be adjusted slightly, as directed by the inspector, to fit field conditions.
3. Excavation. Excavation for the structures shall be to the lines and grades shown on the drawings. Overexcavation shall be corrected by bringing the section to grade by filling and compacting with earthfill. Gravel material shall be placed around and beneath structures as shown on the drawings. Prior to placing the structure, the trench shall be carefully brought to grade with gravel backfill in layers of 4 inches before compaction.
4. Installation. The structure shall be installed in the trench with the sides plumb and the bottom level. Gravel will then be compacted around the structure. Material adjacent to structures shall be placed carefully to avoid damage to the structure, and the height of fill shall be increased uniformly around the structure to prevent displacement of the structure.

END OF SECTION 02513

END OF DIVISION 2

DIVISION 17
MEASUREMENTS AND PAYMENTS

A. DIKES AND WATER CONTROL STRUCTURES

1. Each dike as designated on drawings shall be bid separately and shall include water control structures and the cost of all labor, equipment, and materials to construct dike complete. Each dike shall be paid for on a lump sum basis.

END OF DIVISION 17

DIVISION 19
DRAWINGS

A. COPIES

The Contractor will be furnished additional copies of the specifications and drawings as may be required for accomplishing the work. The drawings furnished with this specification have been reduced to approximately one-half size. Full size prints of the original drawings will be furnished to the Contractor for construction purposes on request.

B. DRAWINGS

The following drawings form part of these specifications.

<u>Drawings No.</u>	<u>Description</u>	<u>Sheet</u>
6R-SD-176-21.0	Vicinity Map, Dike "A" Details and Index to Drawings	1 of 2
6R-SD-176-22.0	Dike "B" Detail	2 of 2

END OF DIVISION 19

Division of Water Rights (605) 773-3352

February 24, 1981

US Fish & Wildlife Service

P.O. Box 25486

Denver Federal Center

Denver, CO 80225

Gentlemen:

Enclosed herewith is your Water Right Permit No. 4579-3 as approved by the Water Management Board.

The Board will schedule an inspection so that your Certificate of Construction and/or Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/gy

encl

Permit No. 4579-3

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, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by US Fish and Wildlife Service of Denver, CO holder of Permit No. 4579-3, bearing the priority of 12/4/1980 authorizing the diversion of 0 cu. ft. per second and/or the storage of 180 acre-feet of the waters of surface water for fish and wildlife production purposes, in Roberts County.

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

A. Works used to divert the water:

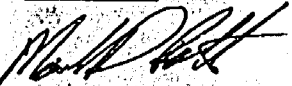
The dams are located from the NW corner of Section 30-T126N-R52W; Dam "A" 3000' S, 1700' E
Dam "B" 850' S, 2250' E.

The system is in the following condition good. The point of diversion is located from the NW corner of S30-T126N-R52W; Dam "A" 3000' S 1700' E, Dam "B" 850' S 2250' E. The works are capable of diverting and conveying to the place of use 0 cu. ft. per second of water and/or storing 180 acre-feet of water which is to be used for fish and wildlife production. Water has been put to beneficial use to the maximum extent as follows:

comprising a total of 0 acres of land and the license should be issued for 0 cfs and/or 180 acre-feet of storage.

Application permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: none Date 7/16/1991


Mark D. Rath
Natural Resources Engineer II
DENR, Water Rights Division

LICENSE FOR PERMIT NUMBER 4579-3

1. Legal location of wells:

Dams and Structures From NW corner S30-T126N-R52W; Dam "A" 3000' S, 1700' E
Dam "B" 850' S, 2250' E.

2. Well Information: Well Drilling Firm

Completion Report?	Yes	No	No. of Wells	Depth(s)	feet
Casing	a) diameter	inches	Screen	a) type	
	b) length	feet		b) length	feet
	c) type		Static Water Level		feet
Pump	a) make		Motor	a) make	
	b) model			b) model no.	
	c) size			c) horsepower rating	
	d) capacity	GPM		d) serial no.	
	e) turbine pump - no. of stages				
	f) operating PSI				

3. Distribution lines or canals

a) size inches
b) type
c) length feet

4. Dam Information: Dam "A"

a) height to crest <u>8</u> feet	m) Outlet tubes:
b) height to primary spillway <u>2</u> feet	1) diameter <u>36</u> inches
c) height to secondary spillway <u>3</u> feet	2) type <u>GMP</u>
d) crest width <u>15</u> feet	3) valved (Y/N) <u>Y</u>
e) crest length <u>150</u> feet	4) valve type <u>stop log</u>

4. Dam Information Continued:

- f) spillway length 40 feet 5) location on structure:
g) spillway width 5 feet center
h) approx. storage 300 AC-FT n) Category of Dam 3
i) approx. storage to crest AC-FT
j) date constructed 1979
k) inspection sheet completed? (Y/N)
l) name of contractor

4. Dam Information: Dam "B"

- a) height to crest 7 feet m) Outlet tubes:
b) height to primary spillway 3 feet 1) diameter 36 inches
c) height to secondary spillway 6 feet 2) type CMP
d) crest width 12 feet 3) valved (Y/N) y
e) crest length 240 feet 4) valve type stop log
f) spillway length 40 feet 5) location on structure:
g) spillway width 3.5 feet center
h) approx. storage 41 AC-FT n) Category of Dam 3
i) approx. storage to crest AC-FT
j) date constructed 1979
k) inspection sheet completed? (Y/N)
l) name of contractor

5. System Type a) sideroll:

- 1) length feet
- 2) diameter of pipe inches
- 3) make, model & number of sprinklers
- 4) spacing of sprinklers feet
- 5) nozzle size

c)gun:

- 1) make
- 2) nozzle size
- 3) capacity (GPM)
- 4) hose size inches
- 5) hose length feet

e) gated pipe:

- 1) length feet
- 2) diameter inches
- 3) spacing of gages inches

f) portable boom:

- 1) make
- 2) nozzle size
- 3) capacity (GPM)

b) towline:

- 1) length feet
- 2) make, model & number of sprinklers
- 3) spacing of sprinklers
- 4) nozzle size

d) center pivot:

- 1) make
- 2) number of towers
- 3) distance between towers
- 4) overall length feet
- 5) end gun (Y/N)
- 6) high or low pressure
- 7) make and size of nozzles:

8) capacity (GPM)

g) siphons:

- 1) size inches
- 2) number

NOTE: For Permits with additional wells or changes in well locations,
record the following for each well: pumping capacity, date

constructed, well driller and if a well log is available.

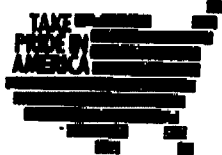
Indicate any other permit(s) which are associated with project

Yes	No	Check Items
<u>NA</u>		1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>Y</u>		2. Special qualifications to permit being abided by?
<u>Y</u>		3. All structures, wells and lands on map?
<u>NA</u>		4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
<u>NA</u>		5. Is chemigation used?
<u>NA</u>		6. If yes, does equipment comply with chemigation rules?

REMARKS:



United States Department of the Interior
FISH AND WILDLIFE SERVICE



IN REPLY REFER TO

BA/EN
WR SD
Mail Stop 60190

MAILING ADDRESS
Post Office Box 25456
Denver Federal Center
Denver, Colorado 80225

STREET LOCATION
134 Union Blvd.
Lakewood, Colorado 80225



JUL 31 1991

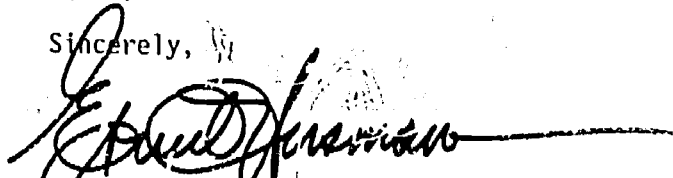
Ms. Genny McMath
South Dakota Department of
Water and Natural Resources
523 East Capitol, Foss Building
Pierre, South Dakota 57501-3181

Dear Ms. McMath:

In response to your letter of July 26, 1991, please find enclosed a Money Order in the amount of \$50 to cover the inspection and issuance of the Water License for Water Permit No. 4579-3, Overberg Waterfowl Production Area, Roberts County.

If you have any questions or require further information, please contact Linda Coe in our Engineering office at (303) 236-5321.

Sincerely,


Ernest D. Husmann
Acting Regional Engineer

Enclosure

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412780

Pierre, August 6, 1991

RECEIVED OF U.S. States Dept Interior, Fish & Wildlife Serv, PO Bx 25486, Denver, CO 80225
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. <u>4579-3</u>	50	00
Fee for Filing Transfer Form _____		
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	50	00

By John Hatch (F)
Chief Engineer

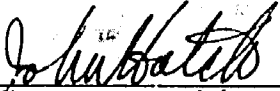
STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4579-3

(1) The U.S. Fish & Wildlife Service of Denver Federal Center, P.O. Box 25486, Denver, CO 80225 made Application No. 4579-3, August 14, 1980 for a water permit to store 180 acre feet of water annually (initial fill of 341 acre-feet) from a tributary to Buffalo Lake into two dams within the Overberg Waterfowl Production Area, Roberts County, South Dakota for fish and wildlife production purposes. Permit No. 4579-3 with a priority date of December 4, 1980 was approved January 28, 1981 and issued to applicant(s) for storage of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(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 water supply system and is entitled to store 180 acre feet of water annually for beneficial use. The location of the dams are as follows: Dam "A" 3000'S and 1700'E of the NW corner Section 30, T126N, R52W. Dam "B" 850'S and 2250'E of the NW corner Section 30, T126N, R52W.

(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 Section 46-5-30.1 the U.S. Fish & Wildlife Service of Denver Federal Center, P.O. Box 25486, Denver, CO 80225 the holder(s) and/or owner(s) of Water Permit No. 4579-3 is issued a license for storage of water, the right to store 180 acre feet of water annually from a tributary of Buffalo Lake into two dams within the Overberg Waterfowl Production Area with a priority date of December 4, 1980 from the location specified in (2) of this license. The water is to be stored for the purpose of fish and wildlife production. This license is subject to any limitations or qualifications listed in Water Permit No. 4579-3 and subject to South Dakota State Law.

 SEP 27 1991
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources

South Dakota



GREAT FACES. GREAT PLACES.

SEP 27 1991

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

U.S. Fish & Wildlife Service
Denver Federal Center
P.O. Box 25486
Denver, CO 80225

Dear Sirs:

Enclosed are Water License Nos. 4579-3, 4865-3, 5091-3, 5135-3, 5177-3, 5221-3, and 5472-3. They are the final water right documents completing your process of obtaining water rights. Enclosed are the receipts which you paid for the inspection and issuance of these water licenses.

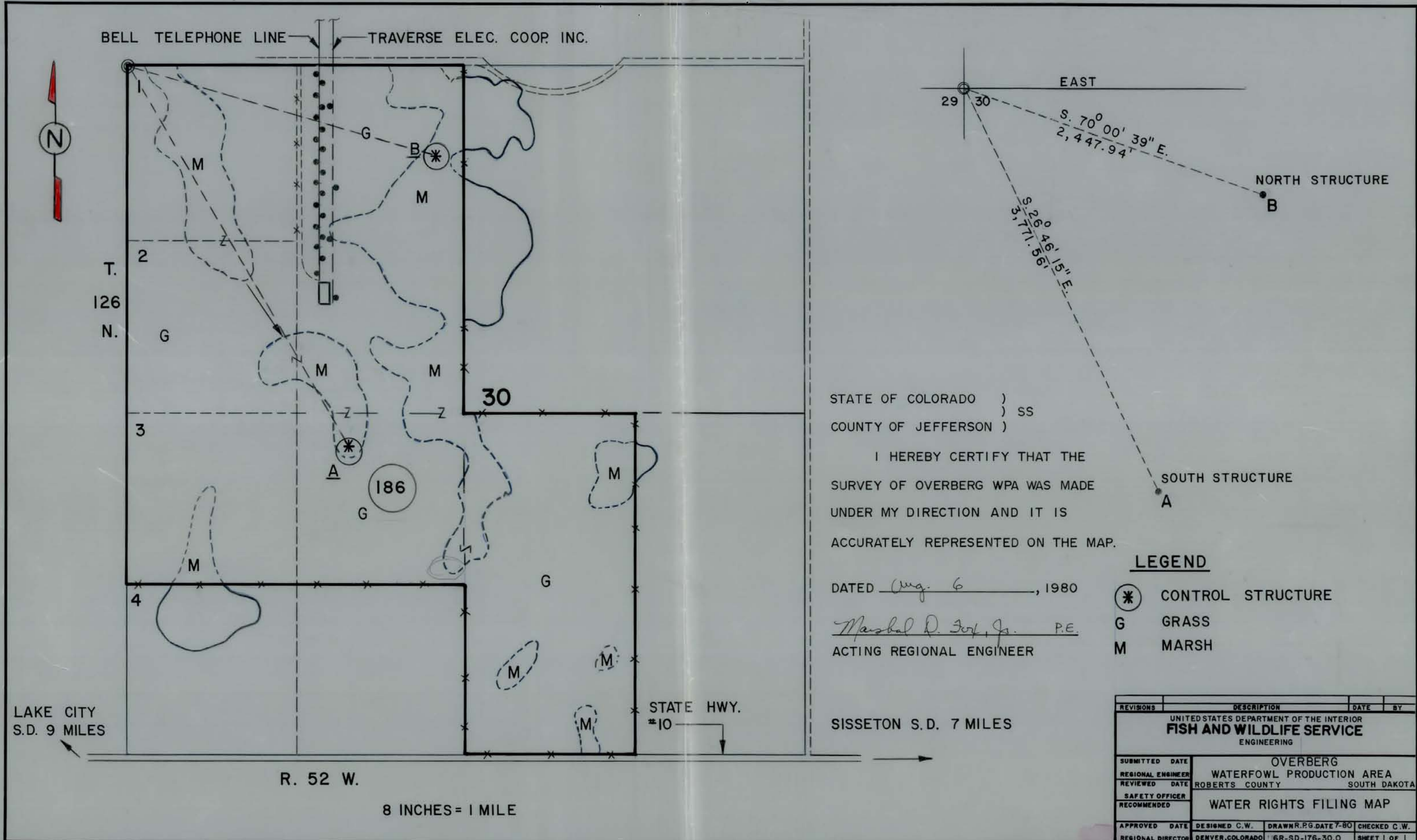
As long as you use the water beneficially, as stated in the Water Licenses, the State Water Laws provide that you have continuing right to use the water.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch".

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

enclosures



REVISIONS	DESCRIPTION	DATE	BY
UNITED STATES DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE ENGINEERING			
SUBMITTED DATE	OVERBERG		
REGIONAL ENGINEER	WATERFOWL PRODUCTION AREA		
REVIEWED DATE	ROBERTS COUNTY SOUTH DAKOTA		
SAFETY OFFICER	WATER RIGHTS FILING MAP		
RECOMMENDED			
APPROVED DATE	DESIGNED C.W.	DRAWN R.P.G. DATE 7-80	CHECKED C.W.
REGIONAL DIRECTOR	DENVER, COLORADO	6R-SD-176-30.0	SHEET 1 OF 1

~~MAP 37923~~ APPL. 4579-3

WATER RIGHTS FILING MAP
ROBERTS COUNTY
SOUTH DAKOTA
WATERFOWL PRODUCTION AREA
OVERBERG

DENVER, COLORADO	BR-20-176-30.0	SHEET 1 OF 1
DESIGNED C.W.	DRAWN R.G. DATE 7-80	CHECKED C.W.

E-9724 . J99A

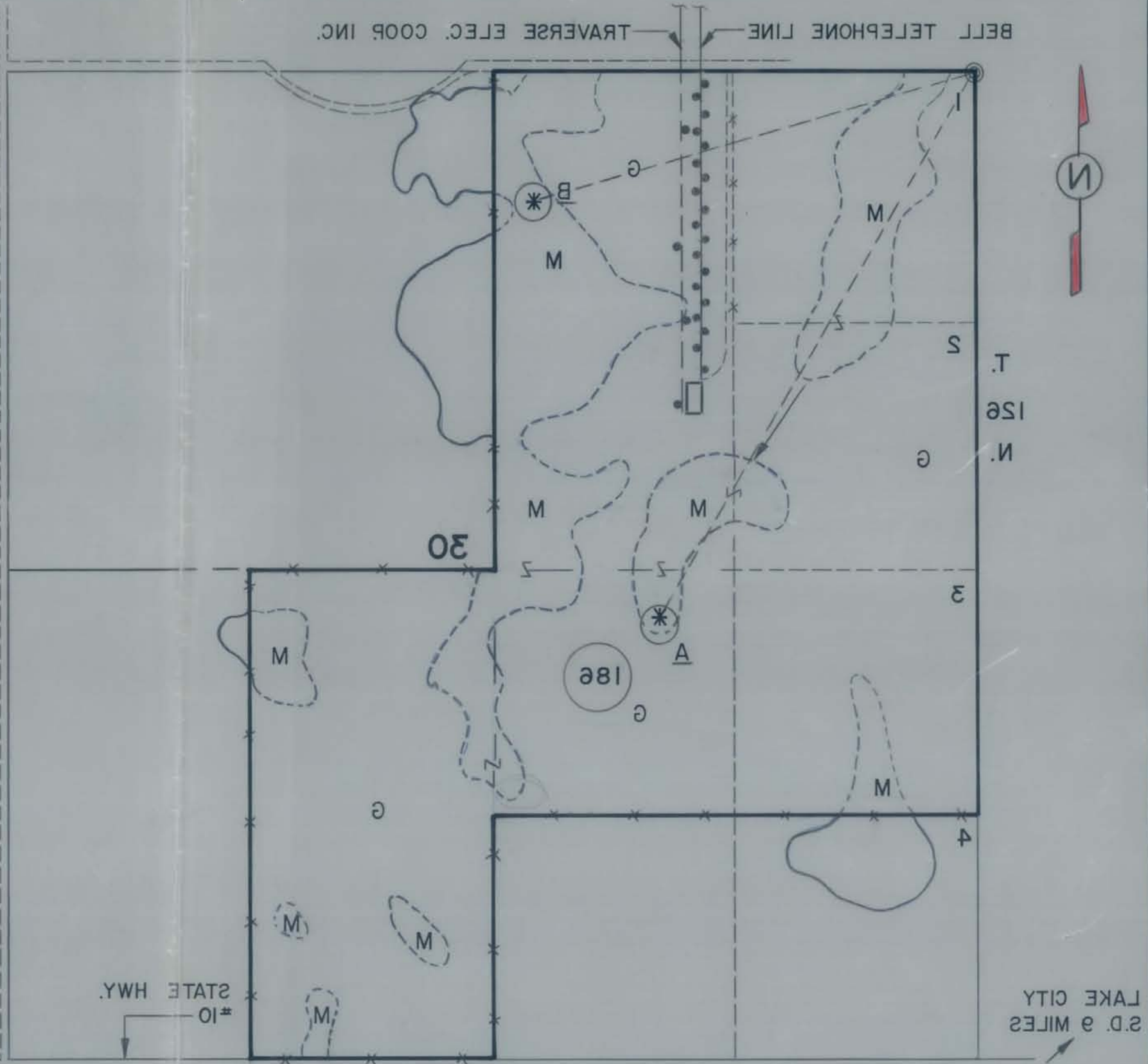
	CONTROL	STRUCTURE
G	GRASS	
M	MARSH	

DATED _____
ACTING REGIONAL ENGINEER

2152500 2.D. 7 MILES

ACCURATELY REPRESENTED ON THE MAP.
UNDER MY DIRECTION AND IT IS
SURVEY OF OVERBERG WPA WAS MADE
I HEREBY CERTIFY THAT THE

STATE OF COLORADO)
COUNTY OF JEFFERSON)
ss)
ss)



8 INCHES = 1 MILE
R. 25 W.

4579-3

SEE 50-T-126N-R5240

WATER RESOURCES
ENGINEER II
WATER RIGHTS DIVISION
6/14/91

TR.3
Alfred
Overberg

850'

2250'

DAM
B

Alfred
Overberg

3000'

1700'

DAM
A

11Ac

Water
License No. 4579-3

126152