

4984-3

4984-3

Name of Applicant Arnold Murray Construction Company

Post Office Address 333 N Phillips Ave., Sioux Falls, S.D. 57102

Amount of Water Claimed 5 AC Ft STORAGE Total Acres

Source of Water Supply	drainage way
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Water to be used for	REC	County	Minnehaha
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About _____ miles _____ of _____ City Limits Sioux Falls

PROOF OF PUBLICATION: Received 1-13-84 Not Received

APPLICATION: Approved Feb. 15 1984 Subject to

F.F.& C.L. Adopted	Not Approved	Deferred
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PRIORITY	Date Received	11/7/83	Fee	50.00	Remarks
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11/7/83

Corrected Application Received 12/12/83 Fee Period of Annual Use 1/1 to 12/31

WATER QUALITY APPROVAL RECEIVED APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application	YES	NO	REMARKS

not applicable

Diversion Point

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31-T101-R49

Land to be Irrigated

A 5x5 grid of squares. In the bottom-right corner, there is a small square. To the right of this small square is a horizontal line segment labeled '31'. Below the small square is the letter 'x'.

Well Log: Driller _____ Licensed YES NO

Depth of Well	REMARKS
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Type of Map drawn PREPARED BY P.E. Schmitz, Kalda Assoc. Reviewed and the Number

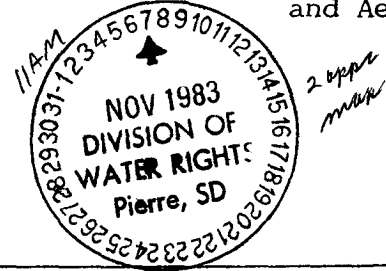
assigned on 12/14/83 By Betty Westlund

No. <u>4984-3</u>	Hydrologic Unit <u>10170203</u>
Map No. <u>4984-3</u>	Basin <u>Sioux River</u>
Newspaper <u>Argus Leader</u> , POB <u>5034, S.F. 57117</u>	

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water: Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☒ and Aesthetic
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____

- Name of Applicant Arnold Murray Construction Company Phone No. 338-4251
 Post Office Address 333 N. Phillips Ave., Sioux Falls, State South Dakota 57102
(Street, RR or Box) Zip Code PHONE CALL 12/14/83
- Amount of water claimed (c.f.s.) 5 ACRE FEET STORAGE
- Source of water supply Drainage Way
- Location of point of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31-101-49 (Cottonwood Heights Addition to
the City of Sioux Falls, SD) Dam to be located 350' North of SE Cor. of
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31-101-49 on $\frac{1}{4}$ Sec. Line County Minnehaha
- Counties where water will be used _____
- Annual period during which water is to be used 1/1 to 12/31 BW

- Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

A city street (Ox Bow Avenue) will cross a drainage way. Murray Construction Company is currently developing land on the upstream side of the street and wishes to raise the proposed culverts above the drainage way flow elevation to create a small pond within the subdivision for aesthetic and recreational purposes.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

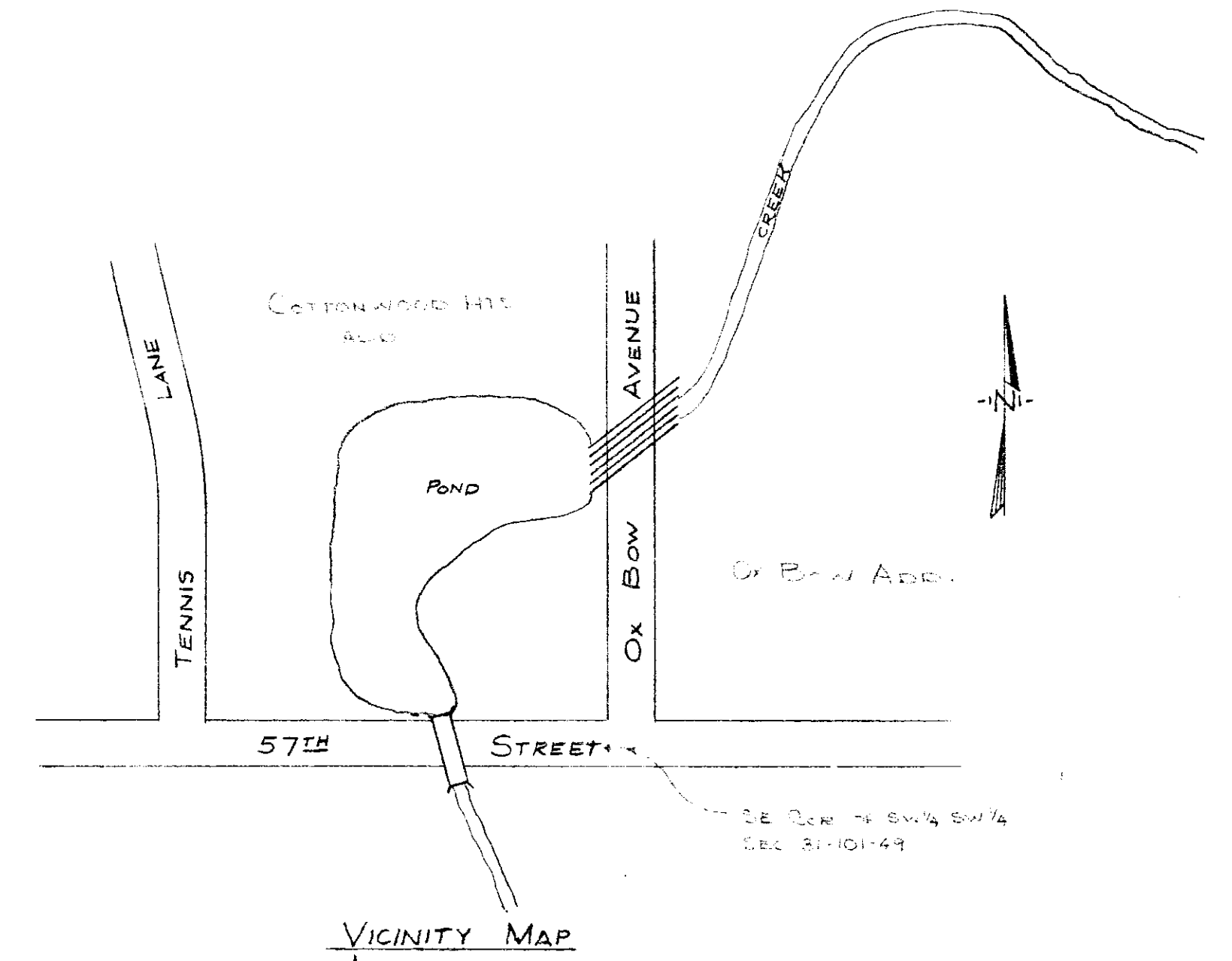
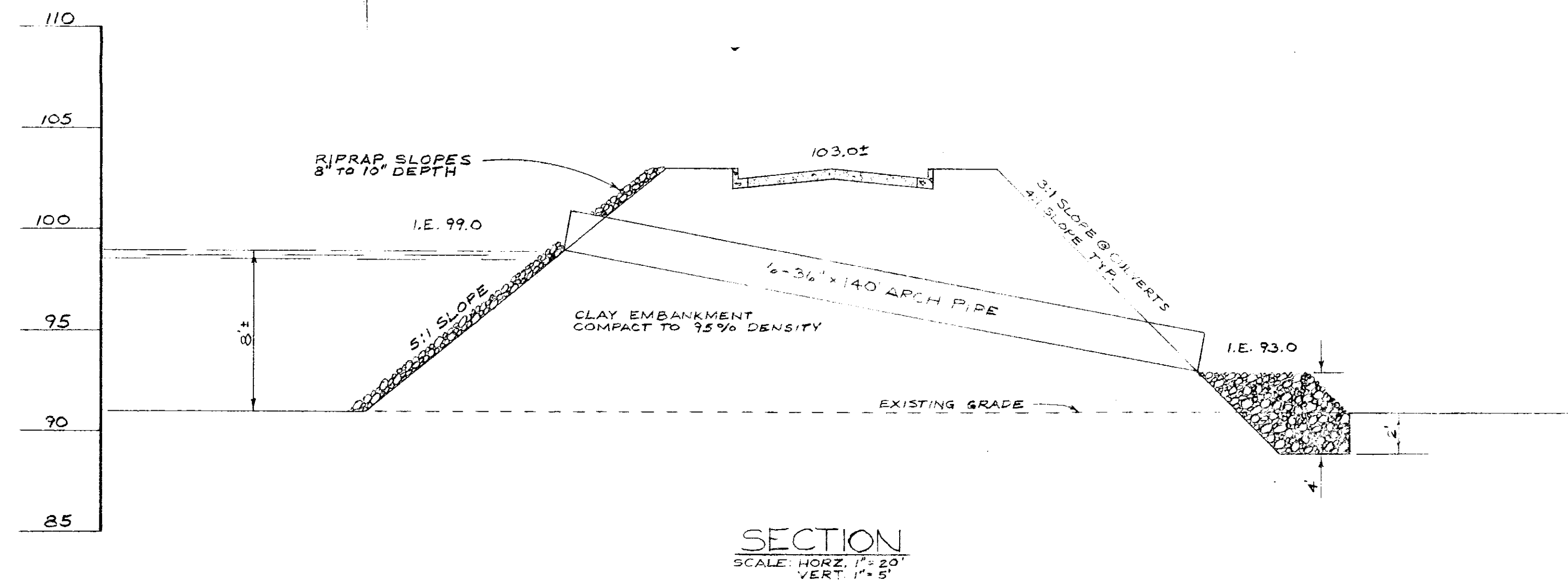
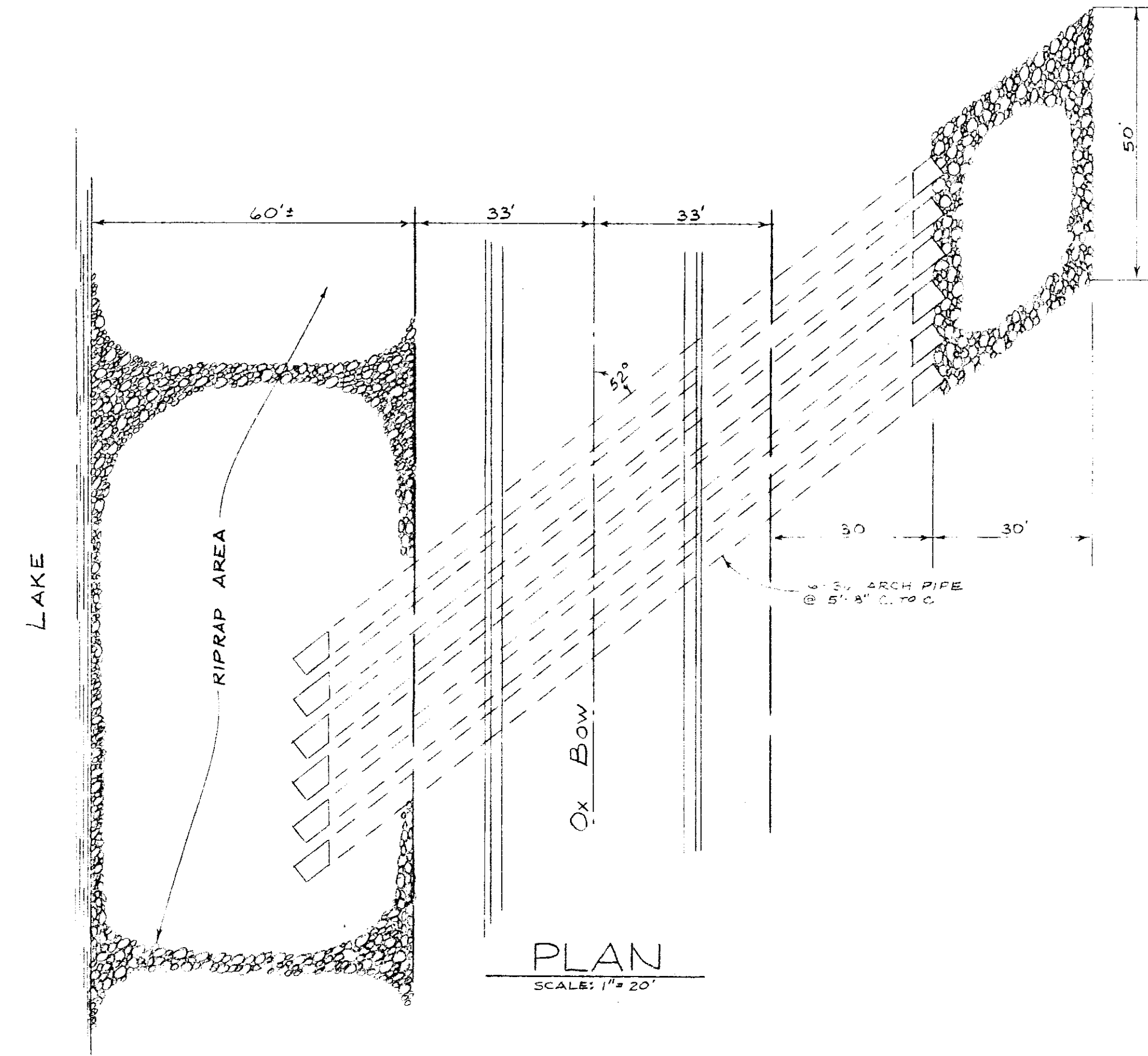
STATE OF SOUTH DAKOTA)
 County of _____ ss

I, Donald Murray the applicant, certify that I have read the foregoing application, 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 Donald MurraySubscribed and sworn to before me this 4th day of November 1983

NOTE: The City of Sioux Falls will take bids for street construction.

Elna M. Murray
 Notary Public for South Dakota
 My Commission Expires March 9, 1985



CULVERT DETAILS OX BOW AVENUE SIOUX FALLS, SOUTH DAKOTA			
SCHMITZ, KALDA & ASSOCIATES ENGINEERS & LAND SURVEYORS SIOUX FALLS, S. DAK.			
DESIGNED BY EOG	DRAWN BY LCG	SCALE AS SHOWN	DATE 10-24-83
CHECKED BY EOG	FIELD DATA	SHEET 1 OF 1 SHEETS	FILE NO.

DATE	ITEM	REMARKS	BY

APPL & MAP # 4984-3

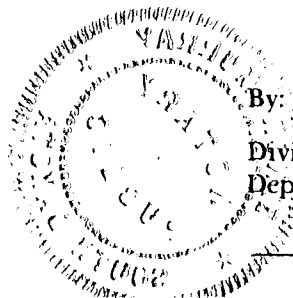
WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 4984-3
Arnold Murray Const Co. 333 N. Phillips Sioux Falls
(Applicant) (Post Office Address)
South Dakota 57102 With the following qualifications.
(State) (Zip Code)

Date of first receipt of application November 7, 1983.
 Date of return to applicant for correction, amendments or changes required —, 19—.
 Date of receipt of corrected application —, 19—. Approved February 15, 1984.

The Water Management Board hereby approves this Water Permit No. 4984-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is November 7, 1983.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before August 15, 1986.
3. The whole of said work is to be completed on or before February 15, 1989.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is February 15, 1993.
5. The water appropriated shall be used for the purpose of 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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 5 ac. FT ^{annually} ~~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 to which water is actually and beneficially applied for recreation on or before February 15, 1993; said water to be used during the following described annual period: CONTINUOUS



WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer

Division of Water Rights
 Dept. of Water and Natural Resources

March 15, 1984

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth of Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well: _____
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address
Schmitz, Kalda & Associates
260 Boyce-Greeley Bldg., Sioux Falls, SD
City of Sioux Falls Engineering Department
City Hall, Sioux Falls, SD

- b) Freeboard 2'
- c) Crest Width 66'

Crest Length _____

- d) Height 12'±

- e) Outlet Dimensions:
 Pipe diameter 36" Arch

Spillway width _____

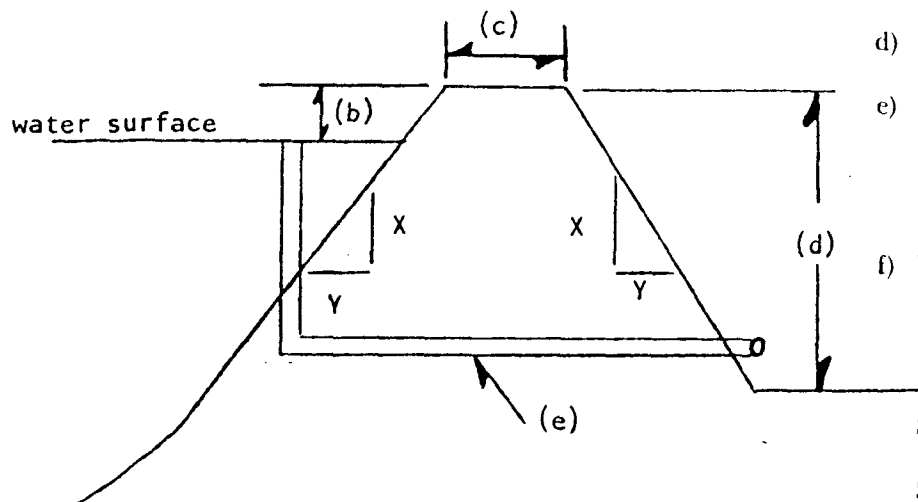
- f) X & Y Slope
 Upstream 5:1

Downstream 3:1 or 4:1

Surface Area of Impoundment 1.2 Ac.

Storage 7 acre feet

Drainage area above dam 3000 Ac.±



Arnold E. Murray
 Signature of Applicant

RECEIPT

Division of Water Rights

No 4 9441

South Dakota Department of Water and Natural Resources

Pierre, December 12, 1983, 19

RECEIVED OF Arnold Murray Construction Co., 333N. Phillips Ave., Sioux Falls, SD
the following amount in fees for services rendered as provided for by law: 57102

Fee for Application for Permit No. <u>4984-3</u> to Appropriate Water, to construct works and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form		
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
Chief Engineer JOHN HATCH (ms)

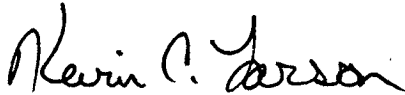
REPORT ON PERMIT APPLICATION NO. 4984-3

ARNOLD MURRAY CONST. CO.

December 27, 1983

This Application No. 4984-3 proposes to store approximately 5 acre feet of water by raising the inlet side of six 36 inch arch culverts underneath 0x Bow Ave in Sioux Falls. The lake will be used for recreational and aesthetic purposes for a housing development. The water stored will be runoff water.

The staff is recommending approval of Permit Application No. 4984-3 with no qualifications.

A handwritten signature in black ink, reading "Kevin C. Larson". The signature is written in a cursive, flowing style.

KEVIN C LARSON
Water Resources Engineer

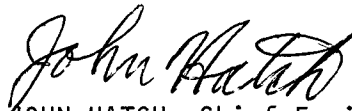
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 4984-3, Arnold Murray Const. Co.

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 4984-3, Arnold Murray, Construction Company, 333 North Phillips Ave, Sioux Falls SD.

The Chief Engineer is recommending APPROVAL of Application No. 4084-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) that the proposed diversion can be developed without unlawful impairment of existing rights, 3) that the proposed use is a beneficial use and 4) in the public interest.

The attached report is a part of this recommendation.

A handwritten signature in cursive script, reading "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division
December 27, 1983

Instruction to Newspaper - Publish first publication of the following Notice on or before January 5, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4984-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Rights No. _____~~

Notice is hereby given that Arnold Murray Construction Company whose mailing address is 333N. Phillips Ave., Sioux Falls, South Dakota has made an application for a permit to appropriate 5 acre feet annually for storage to create from drainage a small pond for recreational purposes. The point of diversion to be located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31 T10N, R49W

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

Approval of Application No. 4984-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Civil Defense Room
Basement Capitol Building, Pierre, South Dakota February 15 19 84 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by February 3, 1984. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) 46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 3, 1984.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Minnehaha) ss.

I, Roxy Deutscher hereby

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

Water was taken from the Argus Leader

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 Sioux Falls of _____

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

Thursday, January 5, 1984

Thursday, January 12, 1984

x Roxy Deutscher
(Signature)

Controller

(Title)

January 12, 1984

(Date Signed)

Cost of Printing: _____

15 3/4" @ \$4.55/inch = \$71.67

NOTICE OF HEARING
ON APPLICATION NO. 4984-3
TO APPROPRIATE WATER
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Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 4984-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

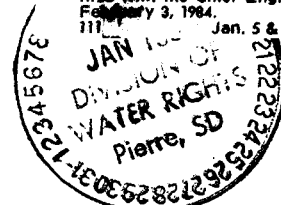
This application will be considered by the Water Management Board at Civil Defense Room Basement, Capitol Building, Pierre, South Dakota, February 15, 1984 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by February 3, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-19, 46-2A-12; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

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Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

March 15, 1984

Arnold Murray Construction Co.
333 N Phillips
Sioux Falls SD 57102

Dear Sir:

Enclosed herewith is your Water Permit No. 4984-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 4984-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your 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: ks

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83

Permit No. 4984-3

Big Sioux 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 Arnold Murray Construction of 333 N. Phillips Ave., Sioux Falls, SD 57102 holder of Permit No. 4984-3, bearing the priority of November 7, 1983 authorizing the storage of 5 acre-feet annually of the waters of drainage for recreational purposes, in Minnehaha County.

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

A. Works used to divert the water:

Dam- crest height 12', crest width 66', crest length 100', No primary or secondary spillways; Outlet structures are 6 - 36" diameter concrete arch pipes spaced 5' to 8' from center-to-center and spaced evenly along crest of dam. Approximately 5 acre-feet storage

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

N/A

C. Works used to apply water to beneficial use:

N/A

The dam is in the following condition fair. The point of diversion is located 350' N and 1310' East of the SW corner of Section 31-T101N-R49W, Minnehaha County, SD. The works are capable of storing 5 acre-feet of water which is to be used for recreational purposes.

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

Approximately 1.2 acre area of water behind dam in SW1/4 SW1/4 Section 31-T101N-R49W and the license should be issued for 5 acre-feet of storage.

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: None Date 9/25/91


Gregory C. Johnston
Natural Resources Engineer
DENR, Water Rights Division

LICENSE FOR PERMIT NUMBER 4984-3

1. Legal location of wells: N/A

Dams and Structures 350' North and 1310' East of the SW corner of Section
31-T101N-R49W, Minnehaha County, SD

4. Dam Information:

- a) height to crest 12 feet m) Outlet tubes:
b) height to primary spillway 12 feet 1) diameter 36 inches
c) height to secondary spillway N/A feet 2) type 6-36"Concrete Arch Pipe
d) crest width 66 feet 3) valved (Y/N) N
e) crest length 100 feet 4) valve type N/A
f) spillway length N/A feet 5) location on structure:
g) spillway width N/A feet Spaced 5 to 8' apart from center-to-
center, all pipes spaced evenly along crest of dam
h) approx. storage 5 AC-FT n) Category of Dam N/A
i) approx. storage to crest 5 AC-FT
j) date constructed 1984
k) inspection sheet completed? (Y/N) N
l) name of contractor
Arnold Murray Construction Co.

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

Yes	No	Check Items
<u>N/A</u>		1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>N/A</u>		2. Special qualifications to permit being abided by?
<u>X</u>		3. All structures, wells and lands on map?

N/A

4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?

N/A

5. Is chemigation used?

N/A

6. If yes, does equipment comply with chemigation rules?

REMARKS: See accompanying plan and section drawing- raised culverts to create a small pond in the subdivision.

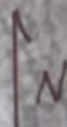
NOT TO SCALE

Drain

101-49

11-L

1" = 765'



No. 4984-3
ARNOLD MURRAY CONSTRUCTION
Drawn by: Gregory C. Johnston
Natural Resources Engineer
Water Rights Division, DENR

12/27/91 Non Ag

SW 1/4 Section 31-T101N-R49W

31

Sioux Falls, SD

SW 1/4 SW 1/4

1310'

Ox Bow Avenue

6-36" Culverts

~1.2 acres of water (5-acre-feet of storage)

358

57th St

101-49

4984-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 22, 1992

4984-3

Arnold Murray Construction
333 N Phillips Avenue
Sioux Falls, SD 57102

Dear Sirs:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 4984-3, 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

415173

Pierre, _____ April 27, 19 92

RECEIVED OF Arnold Murray Construction, 333 N Phillips Ave, Sioux Falls SD 57102

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>4984-3</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*
Chief Engineer



AUG 7 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

4984-3

Arnold Murray Construction Company
333 N. Phillips Avenue
Sioux Falls, SD 57102

Dear Sirs:

Enclosed is Water License No. 4984-3. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 413193 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

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

Very truly yours,

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

enclosures

STATE OF SOUTH DAKOTA

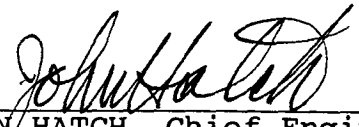
WATER LICENSE NO. 4984-3

(1) Arnold Murray Construction Company of 333 N. Phillips Ave., Sioux Falls, SD 57102 made Application No. 4984-3, November 7, 1983 for a water permit to store 5 acre feet of water annually from drainage, Minnehaha County, South Dakota for recreational and aesthetic purposes. Permit No. 4984-3 with a priority date of November 7, 1983 was approved February 15, 1984 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before February 15, 1989 and for the application to beneficial use of said water on or before February 15, 1993.

(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 5 acre feet of water annually for beneficial use. The location of the dam is: in the SW 1/4 SW 1/4 Section 31, T101N, R49W (350'N and 1310'E of the SW corner).

(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 Arnold Murray Construction of 333 N. Phillips Ave., Sioux Falls, SD 57102 the holder(s) and/or owner(s) of Water Permit No. 4984-3 is issued a license to appropriate water, the right to store 5 acre feet of water from drainage with a priority date of November 7, 1983 from the location specified in (2) of this license. The water is impounded for recreational and aesthetic purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 4984-3 and subject to South Dakota State Law.

 **AUG 7 1992**
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



November 9, 1993

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MEMORANDUM TO Cameron Hoseck, Legal Section, DOT

SUBJECT: Water Right No. 4984-3, Arnold Murray Construction
Company, 333 North Phillips Avenue, Sioux Falls SD

Enclosed as requested are copies of documents from the file for Water Right No. 4984-3, Arnold Murray Construction. Two copies of the Plan and Vicinity Map were in the file. Therefore, you may keep the enclosed copy.

Let me know, if you have any questions.

John Hatch, Chief Engineer
Water Rights Division (3352)