

Considered: _____

WATER PERMIT NO. 5342-3

MAP No. same 784-3657

Name of Applicant La Verne T. Springer

Post Office Address HC #1, Box 2, Bradley SD 57217

Amount of Water Claimed 70 acre-feet Total Acres NA

Source of Water Supply wetland drainage basin

Water to be used for domestic use Fish & wildlife production County Clark

About 1/2 miles S of Bradley

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received June 23, 1989 Fee \$150.00 Remarks _____

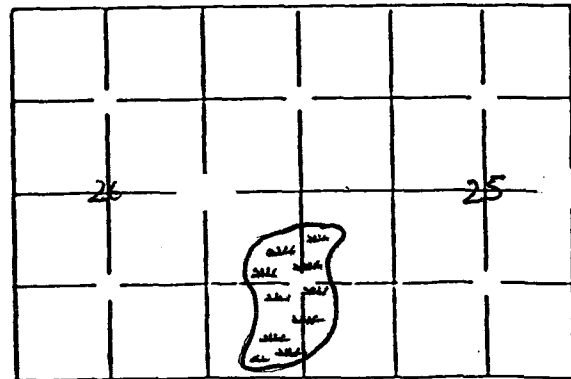
Corrected Application Received Aug 3, 1989 Period of Annual Use Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES NO REMARKS _____

Diversion Point wetland area: located in
portions of the E 1/2 SE 1/4 section 26; W 1/2 SW 1/4
section 25; all in T119N-R57W

Land to be Irrigated _____
NA



Well Log: Driller NA Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map topo PREPARED BY Gary M Elderik Reviewed and the Number assigned on August 3, 1989 By Ron D. Small

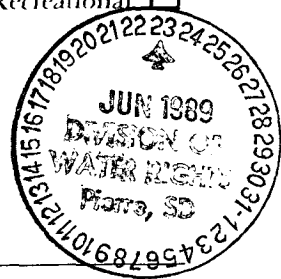
No.	<u>5342-3</u>	Hydrologic Unit	<u>10160010</u>
Map No.	<u>same</u>	Basin	<u>James River</u>
Newspaper	<u>Clark County Courier, Box 189</u> <small>(used) 57225</small>		

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
 Domestic (above 18gpm) Other **WILDLIFE MANAGEMENT**

Type of Application: Check one or more of the following

New Vested Right Future Use Change Use
 Amend Permit No. _____ with old priority date retained
 Change 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. _____



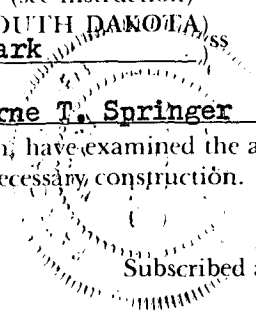
- Name of Applicant La Verne T. Springer Phone No. 605-784-3657
 Post Office Address HC#1 BOX 2 BRADLEY State SD Zip Code 57217
(Street, RR or Box) (City) (Zip Code)
- Amount of water claimed (c.f.s) 70 acre feet at 1760.9 feet msl (outlet elevation)
- Source of water supply Natural run-off from watershed
- Location of point of diversion T. 119N., R. 57 W., 5th P.M. sec. 26, ~~SE 1/4~~ SE 1/4, Clark County
South Dakota and portions of the W 1/2 SW 1/4 Section 25, T119N, R57W
wetland area County Clark
- Counties where water will be used Clark
- Annual period during which water is to be used January 1 through December 31
- 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)
"Impoundment of water for wildlife management purposes and for the maintainence of our rural water system."

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 Clark

I, La Verne T. Springer the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed La Verne T. Springer
20th day of June 1989
Patty Lien



PATTY LIEN, NOTARY PUBLIC
 MY COMMISSION EXPIRES
 MARCH 29, 1996

SOUTH DAKOTA
WATER PERMIT No. 5342-3

Date of first receipt of application June 23, 1989.

Date of return to applicant for corrections, amendments or changes July 31, 1989.

Date of receipt of corrected application August 3, 1989.

The Water Management Board approved Water Permit Application No. 5342-3 on September 28, 1989 for La Verne T Springer, HC 1, Box 2, Bradley SD 57217 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5342-3 appropriates sufficient runoff water annually to fill a wetland to the outlet elevation (road culvert) at approximately 1760.9 feet mean sea level. The wetland is located in portions of the E1/2 SE1/4 section 26; W1/2 SW1/4 section 25; all in T119N-R57W.
2. The water appropriated shall be used for the purpose of providing habitat for wildlife and may not exceed the amount of water needed for beneficial use for domestic purposes and wildlife production.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is June 23, 1989.
5. One-fifth of the construction is completed.
6. All construction is completed.
7. Water is put to beneficial use.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

Approval of Permit No. 5342-3 establishes first priority to 32 acre-feet of an undivided interest in a total of 70 acre-feet of water stored in a natural slough (wetland) on private land at elevation 1760.9 fmsl.

WATER MANAGEMENT BOARD

By: _____

John H. Hattel
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

DEC 26 1989

(date)



Department of Water & Natural Resources

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

July 31, 1989

La Verne T Springer
HC 1, Box 2
Bradley SD 57217

Dear Ms. Springer:

This letter is in response to your water permit application for the wetland located in section 26-T119N-R57W. The following information is needed to complete the application:

- 1) Enclosed for your information is a copy of Permit No. 5250-3 which is similar to your application. The information supplied on Permit No. 5250-3 is the same type of information you will need to submit. Your application needs to specify the storage (acre-feet) to a specific elevation with an estimate of the total storage and the portion of the storage on your property.
- 2) Enclosed is a copy of the topographical map of the wetland area. A copy of the map has also been sent to Gary Elderik with the US Fish & Wildlife Service. The map is needed as part of the water permit application and needs to be signed according to the directions on the enclosed instruction sheet.
- 3) The water permit application makes mention of impoundment of water for wildlife purposes and for maintenance of our rural water system. Please explain what you mean by "maintenance of our rural water system".

The application can not be processed until the application is complete. Please respond to the above requests to complete the application.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Ron Duvall". The signature is written in a cursive style with a large, looping "R" and "D".

Ron Duvall
Natural Resources Engineer
605 773-3352
enc.

cc: Gary Elderik, US Fish & Wildlife Service



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, July 14, 1989

RECEIVED OF Baverne Springer, RR #1 Box 2 Bradley, SD 57217

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

Fee for Application for Permit No. <u>5342-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150	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	150 00

By John Hatch
Chief Engineer

ma

Conversation or File Documentation

NAME OF PERSON OR FILE: Laverne T SpringerADDRESS: HC #1, Box 2, Bradley SD COUNTY ClarkDATE: August 1, 1989 TELEPHONE 784-3657RE: water permit application for wetland

COMMENTS:

Mrs. Springer called regarding my letter dated July 31, 1989. Mrs. Springer stated that the following information was supplied by the US Fish & Wildlife land surveyor:

Information for Wetland AreaDepth - 3.5 feetSurface area - 39.8 acresImpoundment - 70 ac-ftBottom elevation - 1757.3 feet mslOutlet culvert - silt line - 1761.4 feet msl

→ see surveyor's figures

Mrs Springer stated 3 inches of rain fell recently and water is backed up on the feedlot as the wetland drains to the south thru a road culvert. The reference "maintenance of our rural water system" on the application refers to the Springer's domestic well (80-85 feet deep) which has problems running dry when the slough is dry. The rural water system supplies water for household use. Mrs Springer stated a signed map and the surveyor's notes would be sent to the Division.

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: Don Wall

Ron,



8-2-89

The marsh is 3.5' deep at deepest point and approx 39.8 acres in surface area. This total area of complete basin this then gives a volume of approx 70 acre feet of water in basin at this time. This figure is also for complete basin mean sea level elevations:

bottom of basin = 1757.3'
present water level = 1760.8'
elev at silt line of culvert = 1761.4'
bottom of North end of culvert = 1760.9'

Springer's ownership probably takes in $\frac{1}{2}$ of the basin. Mrs. Springer said their well is 85' deep, is located just north of their house.

Larry Eldenk
Land Surveyor

13 June 1989

Mrs. Springer:

The marsh is 3.5' deep at the deepest point and is 39.8 acres in size (surface area).

The volume is approx. 70 acre feet of water.

Sea level elevations are:

bottom of basin = 1757.3'

present water level = 1760.8'

elevation at silt line of culver = 1760.0'

Bottom of north end of culvert = 1760.0'

Cindy Schroeder / USFWS





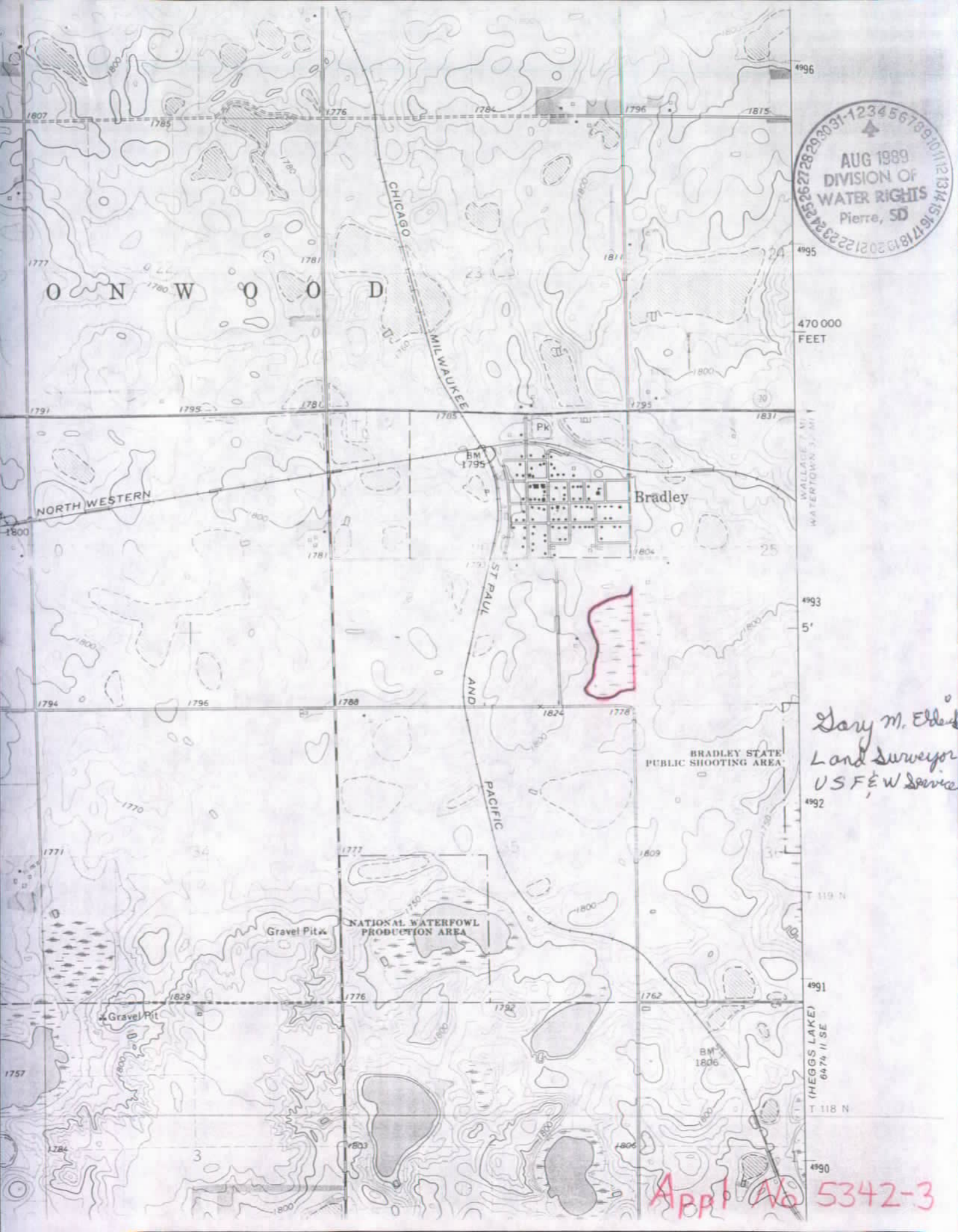
That portion of
the Wetlands
belonging to us
is between these
yellow papers. The
legal description
includes all of
this area.

The U.S. Fish & Wildlife
Surveyor is:

Gary Elderik, Land Surveyor,
U.S.F.W.S Wetland Office
P O Box 1514
Aberdeen, S.D 57401

The Surveyor did not draw
a map, the ASCS did not
have one; but this
is a photo from U.S.F.W.S
Wetland Office. They told
us to include this since
we want only to hold the
water; not divert it or
use it.

Laverne Springer



470 000 FEET

WALLACE AT WATERTOWN 3.3 MI

4993 5'

Dary M. Elder
Land Surveyor
USF&W Service

4992

T 119 N

4991

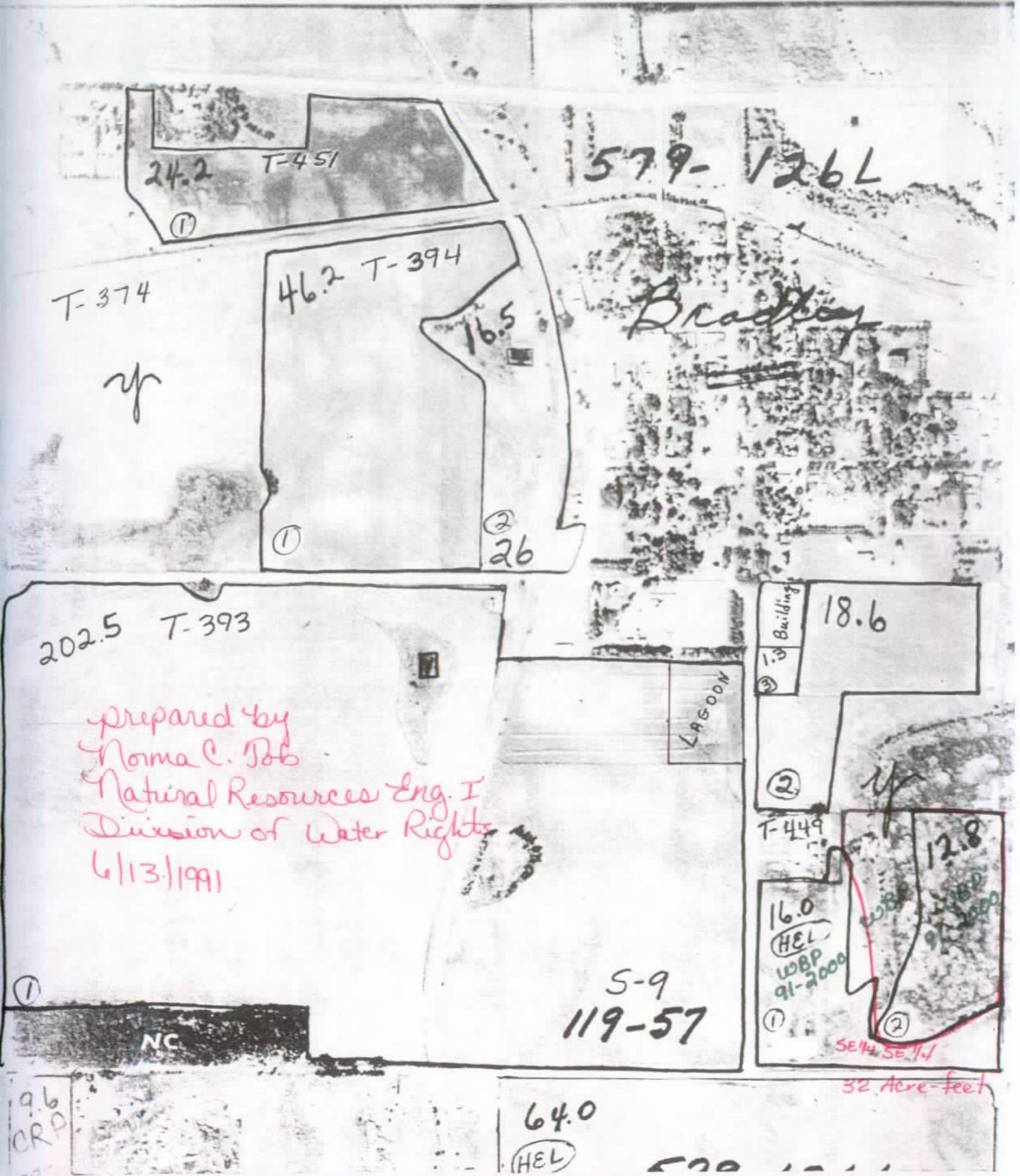
(HEGGS LAKE) 6474 II SE

T 118 N

4990

APR 1986 5342-3

NOT TO SCALE



REPORT ON APPLICATION NO. 5342-3
LaVerne T. Springer
August 8, 1989

Water Permit Application No. 5342-3 proposes to appropriate sufficient runoff water annually to fill a wetland to the outlet elevation (road culvert) of approximately 1760.9 feet mean sea level (fmsl). The wetland is located in portions of the E 1/2, SE 1/4, sec. 26 and the W 1/2, SW 1/4, sec. 25; all in T119N, R57W, Clark County, South Dakota. The water is to be used for domestic purposes and to provide habitat for wildlife management.

DISCUSSION

Proposed Water Permit No. 5342-3 seeks to appropriate enough annual runoff water for a wetland that is partially located on their property. The portion of the area that is on the applicant's land is the SE 1/4, SE 1/4, sec. 26, T119N, R57W. The remaining portion of the wetland lies on property owned by Burton C. Raymer.

According to information supplied by Gary Elderik, Land Surveyor with the US Fish and Wildlife Service, the total acreage that may be covered by the wetland is 39.8 acres with a potential storage capacity of 70 acre-feet. The depth of the wetland at the deepest point is 3.6 feet with a bottom elevation of 1757.3 fmsl. The bottom elevation of the north end of the outflow culvert is 1760.9 fmsl. At the time of inspection by Mr. Elderik, the water level stood at 1760.8 fmsl.

The portion of the wetland that lies on the Springer property accounts for about 45% of the total surface area (17.9 acres). The storage associated with this surface area is approximately 32 acre-feet. The remaining 55% of the wetland is on Raymer's property and is comprised of 21.9 acres of surface area and approximately 38 acre-feet of storage.

Approval of Water Permit No. 5342-3 will allow the applicant to store water in the wetland at an elevation of 1760.9 fmsl. The appropriated water is to be used for wildlife habitat and domestic purposes.

CONCLUSIONS

1. The maximum elevation of the wetland is controlled by the discharge culvert elevation of 1760.9 fmsl.
2. The approximate storage capacity of the wetland is 70 acre-feet with a surface area of 39.8 acres.

3. Approximately 55% of the wetland is outside the property boundaries of the applicant.
4. Approval of the permit would allow the storage of 70 acre-feet of annual runoff at an elevation of 1760.9 fmsl. Of this amount, 32 acre-feet (or 45% of the total storage) is the appropriation for use by the applicant for wildlife habitat and domestic purposes. This does not allow for storage of water on another person's property but only allows the prior right to 32 acre-feet of water in this wetland for the use as described.
5. It is recommended that Water Right Permit No. 5342-3 be approved for the potential storage of annual runoff in the amount of 70 acre-feet at an elevation of 1760.9 fmsl in a wetland area. The amount of water available for appropriation in this permit should not exceed 32 acre-feet.

Terry L. Jorgensen
Terry L. Jorgensen
Natural Resources Engineer
Division of Water Rights

Approved by:

Gale N. Selken
Gale N. Selken, P.E.
Hydrologist
Division of Water Rights

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5342-3, LaVerne T. Springer

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. 5342-3, LaVerne T. Springs, HC 1, Box 2, Bradley SD.

The Chief Engineer is recommending APPROVAL of Application No. 5342-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

Approval of Permit No. 5242-3 establishes first priority to 32 acre feet of an undivided interest in a total of 70 acre feet of water stored in a natural slough (wetland) on private land at elevation 1760.9 fmsl.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
August 11, 1989

SOUTH
Dakota Department of
Water & Natural Resources

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

August 17, 1989

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

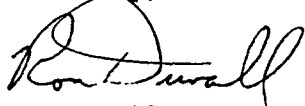
La Verne T. Springer
HC #1, Box 2
Bradley, SD 57217

Dear Ms. Springer:

Water Permit Application No. 5342-3 for domestic use and fish & wildlife production has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Clark County Courier printed at Clark SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures



SOUTH Dakota Department of
Water & Natural Resources

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

August 17, 1989

Clark County Courier
Box 189
Clark, SD 57225

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5342-3 to be published twice. Please publish the first notice on or before August 23, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is LaVerne T. Springer, HC #1 Box 2, Bradley, SD 57217.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Ron Duvall
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



Instruction to Newspaper - Publish first Notice on or before August 23, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5342-3 to Appropriate Water

Notice is given that La Verne T. Springer, HC #1, Box 2, Bradley, SD 57217 has filed an a water permit application for sufficient runoff water annually to fill a wetland to the outlet elevation (road culvert) at approximately 1760.9 feet mean sea level. The wetland is located in portions of the E1/2 SE1/4 Section 26; W1/2 SW1/4 Section 25; all in T119N-R57W and water is to be used for domestic purposes and to provide habitat for wildlife management.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5342-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216 of the Joe Foss Building at 523 E. Capitol, Pierre, SD on September 27, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 15, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by September 15, 1989.

This application is made pursuant to 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clark) ss.



I, Bert Moritz
certify that the attached printed Notice was taken
from the Clark County 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
State of South Dakota

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

August 23, 1989
August 30, 1989

Bert Moritz
(Signature)
Publisher
(Title)
9/1/89
(Date Signed)

Cost of Printing: Notice 83 lines
2 times
\$34.36

NOTICE OF HEARING on
Application No. 5342-3 to Appropriate
Water

Notice is given that La Verne T.
Springer, HC No. 1, Box 2, Bradley, SD
57207 has filed a water permit
application for sufficient runoff water
annually to fill a wetland to the outlet
elevation (road culvert) at
approximately 1760.9 feet mean sea
level. The wetland is located in portions
of the E 1/2 SE 1/4 Section 26; W 1/2 SW 1/4
Section 25; all in T119N-R57W and
water is to be used for domestic
purposes and to provide habitat for
wildlife management.

Pursuant to SDCL 46-2A-2, the Chief
Engineer of the Water Rights Division
recommends APPROVAL of
Application No. 5342-3 because 1)
unappropriated water is available, 2)
existing rights will not be unlawfully
impaired, 3) it is a beneficial use of
water and 4) it is in the public interest.
This application will be considered by
the Water Management Board in Room
216 of the Joe Foss Building at 523 E.
Capitol, Pierre, SD on September 27,
1989 at 10:00 a. m. The Chief Engineer's
recommendation is not final or binding
upon the Board. The Board is
authorized to 1) approve, 2) approve
with qualifications, 3) defer or 4) deny
this application based on the facts
presented at the public hearing.

Any interested person that intends to
participate in the hearing before the
Board by presenting evidence or cross-
examining witnesses according to
SDCL 1-26, must file a written petition
with BOTH the applicant and Chief
Engineer by September 15, 1989. The
Chief Engineer's address is "Water
Rights Division, Foss Building, 523 E.
Capitol, Pierre, SD 57501 (605-773-
3352)". The petition may be informal,
but must include a statement
describing the petitioner's interest in
the application, the petitioner's reasons
for opposing or supporting the
application and the signature and
mailing address of the petitioner or
legal counsel if legal counsel is
obtained. The applicant need not file a
petition. Contact the Water Rights
Division to request information on this
application or to assure access to the
hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by September 15, 1989.

This application is made pursuant to 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; 46-2A-1 thru 46-2A-11, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-1, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. 8-23-2t



Department of Water & Natural Resources

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

DEC 26 1989

LaVerne T Springer
HC 1, Box 2
Bradley SD 57217

Dear Ms. Springer:

Enclosed is Water Permit No. 5342-3 as approved by the Water Management Board authorizing construction of the water system and the application of water beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch". The signature is written in dark ink and is positioned above the typed name.

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

July 24, 1991

5342-3

LaVerne T Springer
HC 1 Box 2
Bradley, SD 57217

Dear Mr. Springer:

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. 5342-3, 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,

A handwritten signature in cursive script that reads "Genny McMath".

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

412757

Pierre, July 29, 1991

RECEIVED OF LaVerne T Springer, HC 1 Box 2, Bradley, SD 57217-9702

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>5342-3</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 Hadel
Chief Engineer

Permit No. 5342-3

James River Water District

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

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

I have this day made a thorough examination of the water use system constructed by La Verne T. Springer

HC #1 Box 2 of Bradley SD 57217 holder of

Permit No. 5342-3, bearing the priority of June 23 1989 authorizing

the diversion of NA cu. ft. per second of the waters of Slough

for domestic + wildlife management purposes, in Clark County.

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

A. Works used to divert the water:

See permit No. 5344-3

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

See permit No. 5344-3

} no diversion or transport method - permit is for storage only. (fn)

C. Works used to apply water to beneficial use:

Storage for 32 acre-feet of a 70 acre-foot natural slough

The system is in the following condition NA

The point of diversion is located SE 1/4 SE 1/4 Section 26-T119N-R57W

The works are capable of diverting and conveying to the place of use NA

cu. ft. per second of water which is to be used for wildlife management purposes and domestic use.

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

NA

comprising a total of NA acres of land and the license should be issued for NA cfs

Applicable permit qualifications have been complied with Yes No

Exceptions to compliance are: _____ Date 5/30/1991

Norma C. Job
(signature)

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5342-3**

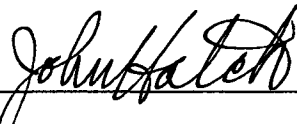
(1) LaVerne T Springer, HC #1 Box 2, Bradley, SD 57217, made application No. 5342-3, June 23, 1989, for a water permit to appropriate sufficient runoff water annually to fill a wetland to an outlet elevation of 1760.9 feet mean sea level. No. 5342-3 establishes first priority to 32 acre-feet of an undivided interest in a total of 70 acre-feet of water stored in a natural slough, on private land in Clark County, South Dakota for domestic purposes and wildlife production. Permit No. 5342-3, with a priority date of June 23, 1989 was approved September 28, 1989. The slough was in place at the time the permit was issued.

(2) It is certified that the applicant has complied with the provisions of South Dakota Law relating to the completion of the system and is entitled to store sufficient water annually to an outlet elevation of 1760.9 feet mean sea level. The applicant establishes first priority to 32 acre-feet of an undivided interest in a total of 70 acre feet of water stored in a natural slough. The wetland (slough) is located in portions of the E1/2 SE 1/4 Section 26, and the W 1/2 SW 1/2 Section 25, T119N, R57W.

(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 SDCL 46-5-30.1, LaVerne T Springer, HC 1 Box 2, Bradley, SD 57217, the holder and owner of Water Permit No. 5342-3 is issued a license to appropriate water, the right to store sufficient water annually to an outlet elevation of 1760.9 feet mean sea level. Water Right No. 5342-3 establishes first priority to 32 acre-feet of an undivided interest in a total of 70 acre-feet of water stored in a natural slough from a location specified in (2) of this license. The water is used for the purpose of domestic use and wildlife production.

This license is subject to any limitations or qualifications listed in Water Permit No. 5342-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Dept of Environment & Natural Resources

SEP 17 1991

South Dakota

GREAT FACES. GREAT PLACES.

SEP 17 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

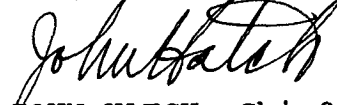
LaVerne T. Springer
HC 1, Box 2
Bradley, SD 57217

Dear Mr. Springer:

Enclosed is Water License No. 5342-3. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 412757 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