

Considered: _____

WATER PERMIT NO. 5694-3

Phone: 997-3938

Name of Applicant: James R / Mary Dell Loiseau

Post Office Address: 1002 West Elm Ave, Flandreau SD 57028-1403

Amount of Water Claimed: ³⁷45.1 ac-ft Total Acres: NA

Source of Water Supply: runoff/springs

Water to be used for: recreational County: Moody

About 1/2 miles West of Flandreau

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 7-23-92 Fee: \$150 Remarks _____

Corrected Application Received 8-4-92 Period of Annual Use March 1 - Nov 30

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

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: SW 1/4 NE 1/4 Sec 20-T107N-R48W

Land to be Irrigated: _____

		20 ^a		

Well Log: Driller: _____ Licensed YES _____ NO _____

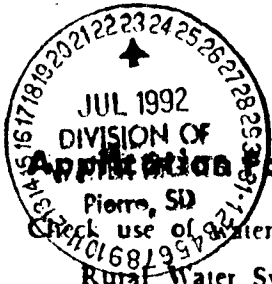
Depth of Well: _____ REMARKS _____

Type of Map: aerial PREPARED BY: Gary T Kirschman, SCT Reviewed and the Number

Assigned on 8-4-92 By Karen Schlaak

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

No. 5694-3 Hydrologic Unit 10170203
Map No. _____ Basin Big Sioux River
Newspaper Moody Co Enterprise, Box 71



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

Flandreau

Check use of water: Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☒
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 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. _____



1. Name of Applicant JAMES R / MARY DELL LOISEAU Phone No. (605) 997-3938

Post Office Address 1002 WEST ELM AVENUE FLANDREAU, State SD 57028-1403
(Street, RR or Box) (City) (Zip Code)

2. Amount of water claimed (c.f.s.) ~~402.5~~ 37 ac-ft

3. Source of water supply Runoff / Springs

4. Location of point of diversion E 1/2 SW 1/4 NE 1/4 Sec. 20-107-48

From N 750 east 2250
NE 1/4 corner 1900 ft. west, 1800 ft. south

County Moody

5. Counties where water will be used Moody

6. Annual period during which water is to be used March - November Jan 1 - Dec 31

7. 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)

Construct Embankment Dam, HAZARD RIVER 3 CATEGORY - No Power, Dwellings or Structures
DOWNS STREAM WITH NO AT LOSS OF POWER OF DAM.

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

STATE OF SOUTH DAKOTA,
County of MOODY) ss

I, JAMES R LOISEAU 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 James R Loiseau

Subscribed and sworn to before me this 24TH day of JULY 19 92
Gertrude Duffert
Notary Public, State of South Dakota
My Commission Expires April 6, 1998

Gertrude Duffert
Notary Public



**SOUTH DAKOTA
WATER PERMIT No. 5694-3**

Date of first receipt of application July 23, 1992.

Date of return to applicant for corrections, amendments or changes July 27, 1992.

Date of receipt of corrected application August 4, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5694-3 to James R/Mary Dell Loiseau, 1002 West Elm Avenue, Flandreau SD 57028-1403 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. 5694-3 appropriates 37 acre-feet of runoff and spring water in an existing dam. The damsite is located in the SW 1/4 NE 1/4 Section 20-T107N-R48W.
2. The water appropriated shall be used for the purpose of supplying water for livestock and recreational use and may not exceed the amount of water needed for beneficial use for livestock watering and recreational purposes.
3. The water is to be used during the following described annual period: March 1 - November 30.
4. The date of approval of Permit No. 5694-3 is October 6, 1992.
5. The date from which applicant may claim right is July 23, 1992.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

1. Approval of Water Permit No. 5694-3 authorizes storage of up to 37 acre-feet of water annually

WATER MANAGEMENT BOARD

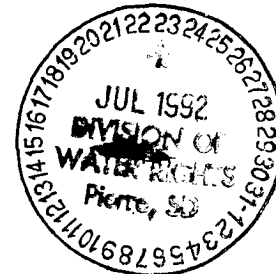
By: _____

John Hatch, Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

DEC 24 1992
date

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 to 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

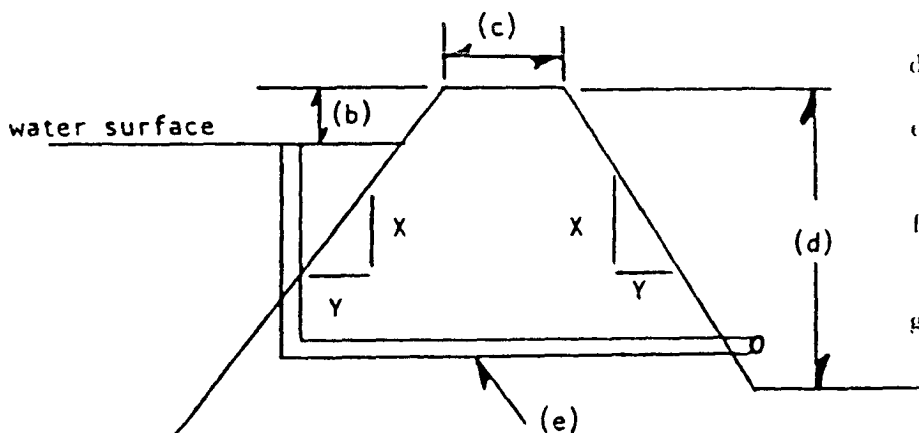
If the proposed water use system contains one or more storage dams, please furnish the information requested below.
The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

Ken Reed, A.E. Soil Conservation Service

520 Third Ave. P.O. Box 626

Brookings, SD 57006



- b) Freeboard 3.0
- c) Crest Width 12'
Crest Length 356
- d) Height 17 ~~15.5~~ ft
- e) Primary Outlet Capacity 18 ~~15.5~~ cfs
If Pipe, diameter 18 in
- f) Secondary Spillway Capacity 444 cfs
Spillway width 84 ft.
- g) X & Y Slope
Upstream 3:1
Downstream 3:1

Surface Area of Impoundment 7.75 ~~3.5~~ Ac.

Storage 37 ~~46.7~~ acre feet APK

Drainage area above dam 634 Ac.

James R. Larson
Signature of Applicant

7-92

Jim LOISEAU

Ray J. [Signature] SCT



NOT TO SCALE



5694-3

SOUTH DAKOTA

JAMES LOISEAU - MOODY COUNTY

K. READ

12-2-86

M. Kuc

1-7-87

STOCKWATER DAM

1

2

SURFACE AREA AT EL 95.0

$$1500 \times 250 \div 43,560 = 8.6 \text{ ACRES.}$$

DEPTHAT LEAST 500 FT² AT EL 82.8

LOWEST EL IN POND SHOULD BE 81.9', LOWEST EL = 79.4' -

PS AT EL 93.8 RESULTS IN 11' WATER DEPTH > 10' OK ✓

$$\text{EF. HT} = 95.0 - 79.4 = 15.6' \quad \text{TOTAL HT} = 18.6' \checkmark$$

STORAGEEL 82.8 500 FT² ✓BY INTERPOLATION EL 93.8 = 337,664 FT² = 7.75 AEL 95.0 375,000 FT² (8.6 ACRES)

$$\text{TOTAL STORAGE TO EL 93.8} = 0.4 \times 11.9 \times 7.75 = 34.1 \text{ AC-FT} \quad 81.9' \text{ BTM}$$

$$\text{SED STORAGE} = 11.9 \text{ AC-FT} \checkmark$$

* SITE CONDITIONS
SUCH THAT
THIS IS ONLY
FEASIBLE DESIGN

$$\text{NET STORAGE} = 34.1 - 11.9 = 22.2 \text{ AC-FT} \geq 50\% \text{ ANNUAL YIELD OK}$$

$$\text{DEPTH} \times \text{STORAGE} = 11.9 \times 22.2 = 244 < 250 \text{ OK}$$

USE 93.8 AS PS ELEVATION, 95.0 ES ELEVATION, 98.0 TOP OF DAM
 $1.4 \text{ AC-FT} \times 8.6 = 12.1 \text{ AC-FT}$
 $4.5 \text{ AC-FT} \times 8.6 = 38.7 \text{ AC-FT}$
 $1.4 \text{ AC-FT} \times 8.6 = 12.1 \text{ AC-FT}$

PS DESIGN (2YR-24HR STORM)

81.9' BTM

13.1

$$V_T = 0.4 \times 12.2 \times 8.6 - 11.9 = 30.1$$

$$V_T = 35 \text{ AC-FT} \checkmark$$

$$\frac{V_T}{V_r} = \frac{30.1}{35} = 0.86 \Rightarrow \frac{Q_0}{Q_i} = 0.22$$

$$Q_0 = \frac{Q_0}{Q_i} \times Q_i = 0.22 \times 140 = 30.8 \text{ CFS}$$

USE 0.50 ES ADJUSTMENT FACTOR (STEEP, OVERFALLS, FAIR VEGETATION) ✓

$$Q_{PS} = 0.50 \times 30.8 = 15.4 \text{ CFS REQD}$$

(SEE SD-ENG-29)

(10' RISER SO COULD PUT PS IN
PERPENDICULAR TO DAM AND ON ORIG. GROUND
AND GET GOOD ALIGNMENT WITH CHANNEL)

ES DESIGN (25YR-24HR STORM)

$$462 - 18.0 = 444 \text{ CFS} \checkmark \quad (\text{SEE SD-ENG-29})$$

High water elevation = 97.0' DURING PASSING OF 25 YR STORM ✓

SOUTH DAKOTA
K. READ 12-2-86

JAMES LOISEAU - MOODY COUNTY
STOCKWATER DAM
2 2

HAZARD CLASS

"A" - NOT FAR TO BIG SIOUX RIVER, NOTHING DOWNSTREAM ✓

JOB CLASS

$$\text{EFF HT} = \frac{13.1}{15.6} \rightarrow \text{II} \quad (\text{IGNORE NARROW DRAV})$$

$$\text{DRAINAGE AREA} = 634 \text{ FT}^2 = 1.0 \text{ MI}^2 \rightarrow \text{II} ✓$$

$$\text{STOR X HT} = \frac{45.1 \times 13.1}{591} = 655 \rightarrow \text{III} ✓$$

$$\text{PRINC SPILLWAY DIA} = 18" \rightarrow \text{II} ✓$$

SO IS JOB CLASS III ✓

ROAD

EL 95.0 STORES WATER TO EDGE OF ROAD AT CULVERT. EL 97.0 DURING ES FLOW WILL CAUSE NO PROBLEMS AT ROAD. HOODES INLET WOULD PUT ADDITIONAL WATER AGAINST ROAD DURING ES FLOW.

STORAGE X EFF HT TO E.S. (EL 95.0)

$$\text{STORAGE} = 0.4 \times \frac{45.1 \times 12.2}{13.1} \times 8.6 \text{ AC} = 42.0 \text{ AC-FT}$$

$$\text{STOR X EFF HT} = \frac{42.0 \times 15.6}{45.1 \times 13.1} = 655 < 3000 \quad \text{OK}$$

CAN USE 378 STANDARD

INVENTORY SIZE?

$$\text{ESTIMATE OVERALL HT} = 19.6' \text{ (TO DOWNSTREAM TOE)} < 25'$$

STORAGE LESS THAN 50 AC-FT ($\frac{45.1}{42.0}$ AC-FT USING 0.4 FACTOR)
(0.48 FACTOR WOULD COMPUTE TO 50.4 AC-FT)

DAM IS MARGINAL BUT IS CONSIDERED TO BE NON-INVENTORY

HYDROLOGIC DATA SHEET

Operator: JAMES LOISEAU Farm No.:

Structure or Practice: STOCK WATER DAM

Location: NE 1/4 20-107-48 County: MOODY

Computations by: KEN READ Date: 12/86

Checked M-Kuck

1-87

PEAK RATE AND VOLUME OF RUNOFF
(See Chapt. 2, Eng. Field Manual)

Soil Group	Land Use and Condition	Curve Number	Acres	(CN)(Acres)
B	ROW CROP, STR. ROW, GOOD	78 ✓	468	36,504 ✓
B	PASTURE, GOOD	61 ✓	166	10,126 ✓

TOTAL

634 ✓ 46,630 ✓

Weighted CN =

73.5 (USE 74) ✓

Average Watershed Slope 7% ✓ Slope Factor

1.23 X MOD ✓

Weighted CN	Design Storm	P Inches Rainfall	Q Inches Runoff	q (ft ³ /s) Peak Flow	Storm Volume Ac.-In.
74 ✓	25 ✓	4.6 ✓	2.06 ✓	376 X 1.23 = 462 ✓	Ac.-In. 109 ✓
"	10 ✓	4.0 ✓	1.60 ✓	295 X 1.23 = 363 ✓	85 ✓
"	5 ✓	3.4 ✓	1.18 ✓	204 X 1.23 = 251 ✓	62 ✓
"	2 ✓	2.6 ✓	0.67 ✓	114 X 1.23 = 140 ✓	35 ✓

ANNUAL YIELD

% Chance	Freq.	Isogram No.	Area Acres	Inches	Ac.-In.	Ac.-Ft.
20 ✓	5YR	2 1/2	634 ✓	1.2 ✓	761 ✓	63.4 ✓
50	2YR	2 1/2	634 ✓	0.42 ✓	266 ✓	22.2
80	1Y	2 1/2	634 ✓	0.15	95	7.9

SEDIMENT YIELD

Erodibility Area	Gross Rate (Ac.Ft./Ac./Yr.)	Drainage Area Acres	Delivery Rate (%)	Design Period Years	Req'd. Sediment Volume (Ac.Ft.)
E ✓	0.0025 ✓	634 ✓	30 ?	25 ✓	11.9 ✓

HYDRAULIC DATA

SPILLWAYS - EARTH OR VEGETATED

	Crest Elev.	Crest Length	Permissible Velocity	H _p (ft)	q _x (ft ³ /s/ft)	Width (ft)	Velocity at Control Section	Q (ft ³ /s)
25YR	95.0 ✓	120' ✓	5.5 * ✓	1.96 ✓	5.2 ✓	84 ⁺ ✓	5.5 ✓	449 ✓
04R	"	"	"	1.73	4.1	"	5.1	353
54R	"	"	"	1.40	2.75	"	4.45	235

* GOOD VEGETATION, OVER 5% EXIT SLOPE, EROSION RESISTANT SOILS

CHANNELS (DITCHES, DIVERSIONS, WATERWAYS, ETC.)

ST SLOPE, EROSION RESISTANT SOILS
 ** $84 + (2+3) \times 0.94/2 = 86.35'$ EQUIV. WIDTH

[illegible]

PRINCIPAL SPILLWAYS

[illegible]

CULVERTS

CULVERTS							
Type	Dia. (in)	Length (ft)	Inlet Control		Outlet Control		Q (ft ³ /s)
			Head-ft	Q-ft ³ /s	Head-ft	Q-ft ³ /s	

WATERWAYS-DIVERSIONS (FROM TABLES)

[illegible]

SD-ENG-1 (Rev. 1/14)

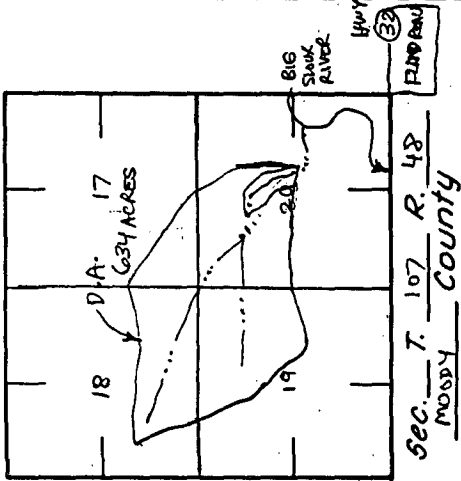
STRUCTURE DATA

DRAINAGE AREA	ANNUAL YIELD 50% AC. FT.	PEAK RUNOFF 25-YR. AC. FT.	EMERG. SPLWY. CAPACITY C.F.S.	WATER DEPTH FEET	SURFACE AREA ACRES	SEDIMENT STORAGE AC. FT.	TOTAL STORAGE AC. FT.
634	22.2	462	449	4.8	7.8	11.9	34.1

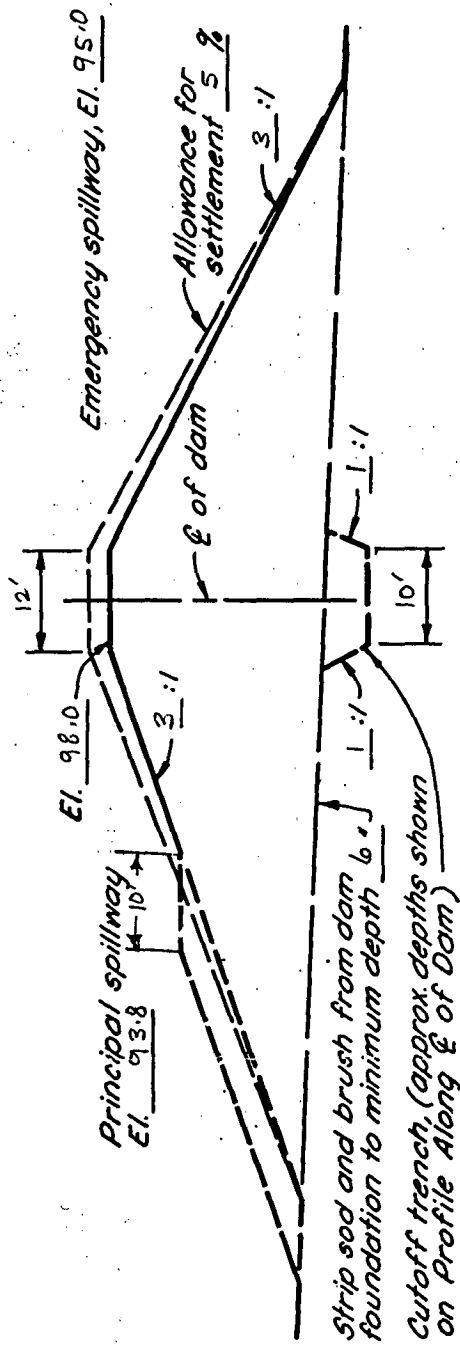
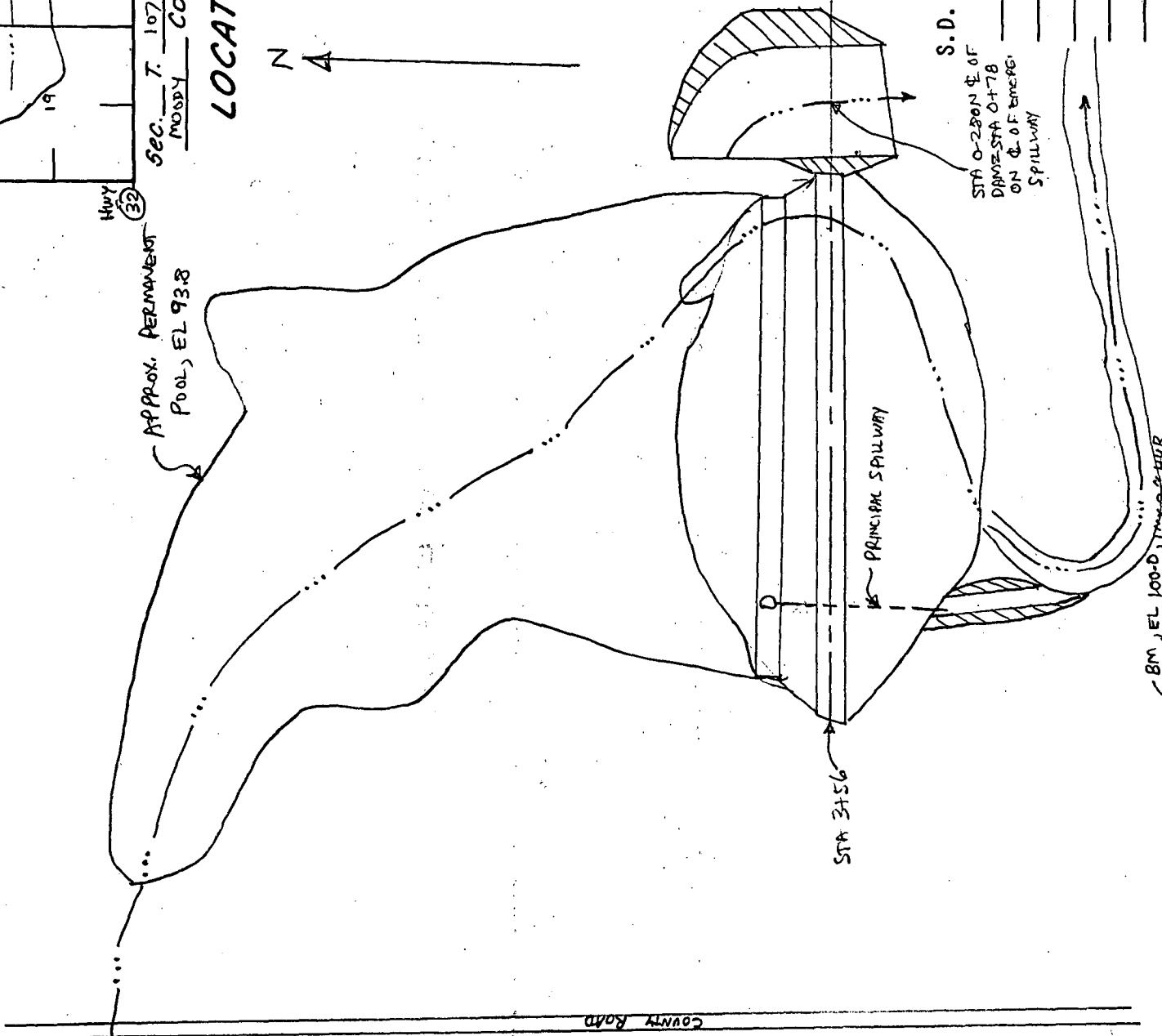
34.0

TABLE OF QUANTITIES (ESTIMATE ONLY)

ITEM	UNIT	QUANTITY
COFF TRENCH	YD 3	838
FILL FOR EMBANKMENT	YD 3	9,990
TOP DRESSING - EMBANKMENT	SQ YD	2,583
- EMERGENCY SPILLWAY	SQ YD	1,297
SEEDING (ES, EMBANKMENT, OUTLET CHANNEL)	ACRES	0.9
TRASH RACK (JDB PLAN 6.0)	EACH	1
DROP INLET SPILLWAY (JDB PLAN 2.0)	EACH	1
EXCAVATION: EMERGENCY SPILLWAY	YD 3	1,860
PS OUTLET CHANNEL	YD 3	244



APPROX. PERMANENT POOL, EL 93.8



TYPICAL CROSS SECTION OF DAM

S.D. CONSTRUCTION AND MATERIAL SPECIFICATIONS:

SD-4	STRIPPING
SD-5	EXCAVATION
SD-7S	EARTH FILL - CLASS S
SD-10	SHOULDER AND SPREADING FOR SOIL
SD-28	SEEDING

SKETCH PLAN OF DAM AND RESERVOIR AREA

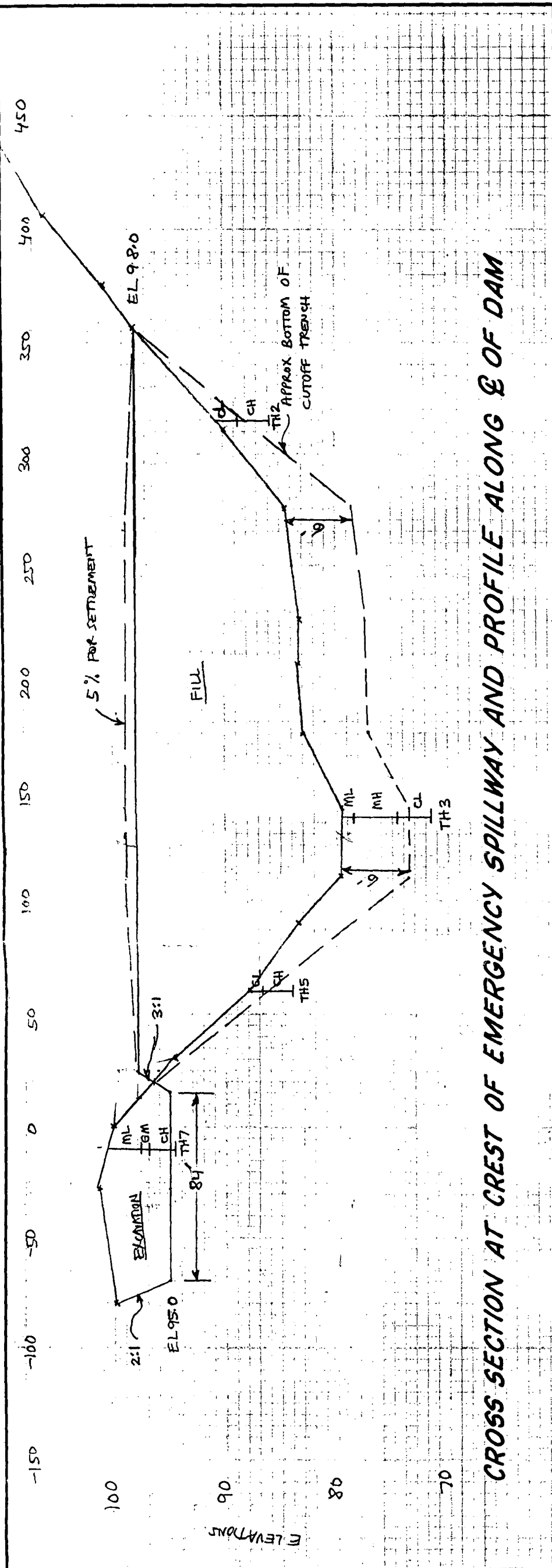
Approximate scale 1" = 1' NOT TO SCALE

REFERENCE: GUIDE PLAN NO. 1.0

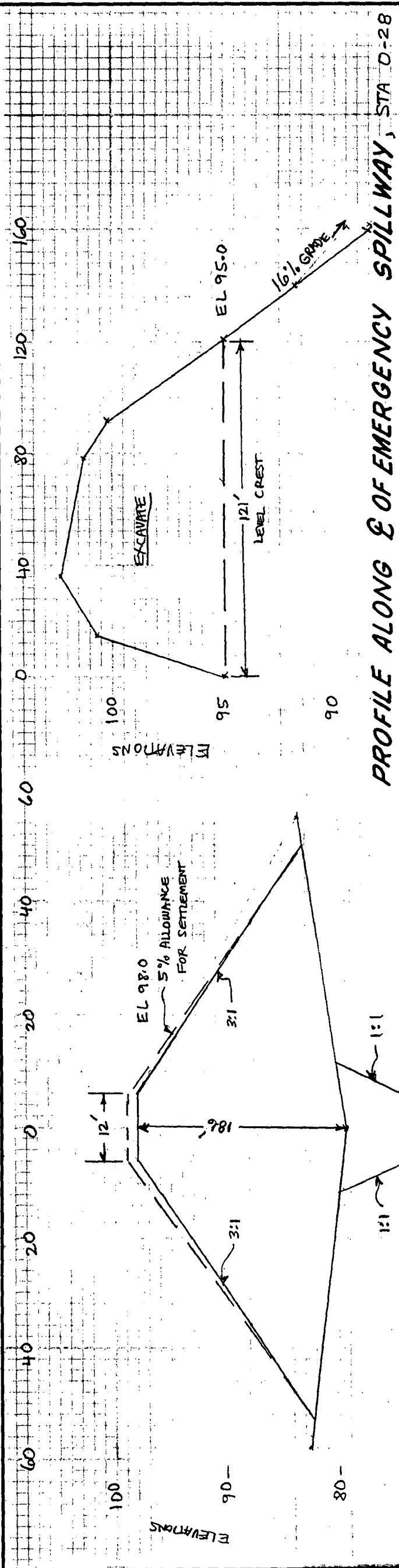
JOB PLAN NO. 1.0

EARTH DAM (JDB CLASS III)

OPERATOR:	JAMES LOISEAU
CONSERVATION DISTRICT:	MOODY
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Designed by:	K. REND
Date:	12/86
Drawn by:	J. R. REND
Title:	12-5-86
Traced by:	
Checked by:	



CROSS SECTION AT CREST OF EMERGENCY SPILLWAY AND PROFILE ALONG & OF DAM



PROFILE ALONG & OF EMERGENCY SPILLWAY, STA 0+28

SEDIMENT YIELD

ERODIBILITY AREA ACRES	GROSS RATE A.F./AC./YR.	DRAINAGE AREA ACRES	DELIVERY RATE %	DESIGN PERIOD YEARS	REQ'D. SEDIMENT VOLUME AC.FT.
E	0.0025	634	30	25	11.9

MAXIMUM CROSS SECTION OF DAM, STA 1+41

(Dist. 4-79) 5 N-20 073 10 (2)

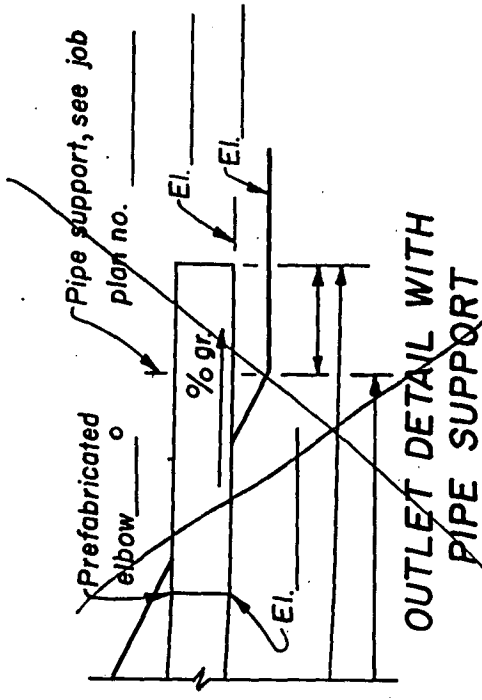
[illegible]

SPECIFICATION NOTES

- | APPLICABLE STANDARD S.C.S. SPECIFICATIONS | | PIPE |
|---|------------------------------|------|
| SD-15 | CMP CONDUITS | |
| SD-50 | ZINC-COATED STEEL CORRUGATED | |
| SD-12B | CONCRETE | |

[illegible]

Rev. 8/80
JOB PLAN NO. 2.0

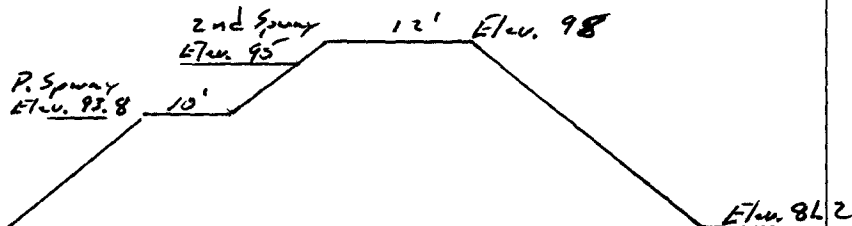


CORRUGATED METAL PIPE DROP INLET PRINCIPAL SPILLWAY

OPERATOR	JAMES	LOISEAU
CONSERVATION DISTRICT	MOODY	
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE		
Drawn	Date K. REMP 12/86	Approved by Title
Traced	Title	Sheet
Checked	No	Drawing No.
	of	

James Loiseau

Top of Dam Elev. = 98
 P. Spway = 93.8
 2nd Spway = 95
 Emb. Toe = 81.2



Emb. Height = $98 - 81.2$
 $= 16.8 \text{ ft say } 17 \text{ ft}$

P. Spillway - 24" Riser w/ 18" Barrel - Elev. 93.8

2nd Spillway - 84' wide @ Elev. 95

Small Size Cat. 3 Dam is Qes Min. Spillway Design

Using U.S.G.S - Techniques for Estimating Flood Peaks ... in South Dakota

$$\begin{aligned}
 Q_{es} &= 83.4 A^S S^S \\
 &= 83.4 (1)^6 90^{0.4} 3.33^{-0.72} \\
 &= 83.4 (7.24) (0.42) \\
 &= 253 \text{ cfs}
 \end{aligned}$$

$$\begin{aligned}
 DA &= 1.5 \text{ mi.} \\
 S &= 95 \text{ ft/mile} \\
 S &= 3.33
 \end{aligned}$$

OK - SCS using $Q_{es} = 462 \text{ cfs}$

Area Capacity Curve

Elev.	Area	Storage
81.9	500 ft ²	Ac-Ft
93.8	337664 = 7.75 Ac	37
95	375000 = 8.6 Ac	45
98	467088 = 10.7 Ac	69

BTM = 81.9

$$(98 - 81.9) \times 10.7 \times 0.4 = 69 \text{ Ac-Ft.}$$

Section T4:02:08:09

1. Topo Map - OK
2. Dam Axis Profile - OK
3. Dam X-Sec. - OK
4. A-C Curve - ? OK D: by my own - Need to convert Application!
5. Spillway Rating - OK $Q_p = 462 \text{ cfs}$ $Q_{es} = 445 \text{ cfs}$
6. Outlet Drawings - OK
7. Spillway Plans - OK
8. Specs. - OK
9. EPP - NA Cat. 3 Dam

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413342

Pierre, July 24, 1992

RECEIVED OF James or Mary Dell Loiseau, 1002 W Elm Ave, Flandreau SD 57028

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

Fee for Application for Permit No. <u>5694-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150000
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 Hater
Chief Engineer

JOHN HATER

RS



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 26, 1991

James R. and Mary Dell Loiseau
RR 1, Box 156
Flandreau, SD 57028

Dear Mr. and Mrs. Loiseau:

A recent review of the Location Notice you filed for your dam located on the E1/2 SW1/4 NE1/4 Section 20, T107N, R48W revealed that you claimed 37.0 acre feet ~~of~~ of water per year for the purpose of watering livestock. According to South Dakota Codified Law, a Water Permit is required if the dam impounds more than 25 acre feet of water.

Please complete and return the enclosed application forms, with the required fee of \$150.00, to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by October 25, 1991. If you have any questions regarding this matter, feel free to contact Don Frye at 605-773-3352.

Very truly yours,

ERIC GRONLUND
Natural Resources Engineer
Water Rights Division

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 27, 1992

James R & Mary Dell Loiseau
1002 West Elm Ave
Flandreau SD 57028-1403

Dear Mr. & Mrs. Loiseau:

In regard to your water permit application received on July 23, 1992, the following information needs to be submitted in order to process your application.

1. A map showing the location of the dam in relation to a government section corner or quarter corner by direction and distance. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).
2. On the application, Item No. 2 you indicated the amount of water claimed to be 462. The amount of water claimed should be an acre-feet amount.
3. A written preliminary risk assessment of the downstream hazard potential needs to be provided to aid in determining the hazard classification for the proposed dam (see enclosed Safety of Dams Rules Sections 74:02:08:05 and 74:02:08:05.01). The hazard classification for the dam (Category 1 or 2 or 3) needs to be known in order to determine what provisions of the Safety of Dams Rules will apply to your dam.

An assessment of the downstream hazard potential is to consist of a list of properties downstream from the dam (homes, roads, dams and other structures) with the potential affects of a dam failure to these properties. The legal descriptions of these downstream properties and the elevation above the waterway need to be included in the assessment. The risk assessment needs to be prepared by an engineer as defined in the Safety of Dams rules. The Soil Conservation Service may be able to assist with the risk assessment. Plans and specifications for the dam will also be needed pursuant to Safety of Dams Rules Chapter 74:02:08.

Upon receipt of the above, further processing of your application will continue. If you have any questions, please contact this office. .

Sincerely,

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

UNITED STATES DEPARTMENT OF AGRICULTURE
Soil Conservation Service
202 E. 3rd Ave.
Flandreau, South Dakota 57028



July 28, 1992

James R & Mary Dell Loiseau
1002 West Elm Ave.
Flandreau SD 57028-1403

Dear Jim & Mary Dell,

In regard to your request for information on your dam, the attached map shows distances to the dam. The amount of water claimed at spillway is 45.1 AC-FT. SCS does not consider this dam of inventory size. The hazard class under SCS classifications is "A" or "3" under state category. Since no roads, dwellings or other structures exist down stream, only ag land will be affected in case of dam failure.

If you require more information, please feel free to contact me at 997-2371.

Sincerely,

Gary T. Kirschman, SCT
Soil Conservation Service



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 29, 1992

James R. and Mary Dell Loiseau
RR1, Box 156
Flandreau, SD 57028

Dear Mr. and Mrs. Loiseau:

I am writing this letter as a follow up to our September 26, 1991 letter concerning the possibility that you may need to obtain a water permit for your dam you planned to build in the E1/2 SW1/4 NE1/4 Section 20, T107N, R48W. We have not heard anything from you on this matter and would appreciate your earliest reply.

As stated in our previous letter, the Location Notice you filed for your dam indicated that you were going to claim 37.0 acre feet of water per year for livestock watering. According to South Dakota Codified Law, a Water Permit is required if the dam impounds more than 25 acre feet of water.

Please let us know if the dam has been constructed, and if so, how many acre feet of storage the dam is capable of impounding. You may write to us at the "Water Rights Division, 523 E. Capitol, Pierre SD 57501". If you have any questions regarding this matter, or need assistance completing the application we previously sent you, feel free to call Don Frye at 605-773-3352.

Sincerely,

RON DUVAL, Natural Resources Engineer
Water Rights Division

enclosure



July 30, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

James R & Mary Dell Loiseau
1002 West Elm Ave
Flandreau SD 57028-1403

Dear Mr. & Mrs. Loiseau:

We have received the July 28, 1992 letter and aerial photo from Gary T. Kirschman with the Soil Conservation Service.

The map is being returned. The map must be signed as outlined in our July 27 letter. Please have Mr. Kirschman sign the aerial photo. The legal description of the dam on the aerial photo and the application, indicate that the dam is located in the SW 1/4 NE 1/4 Section 20-T107N-R48W. There is a discrepancy between the location as indicated on the aerial photo and the application regarding the distance in feet. Neither appear to be correct. What is the distance?

Also, the amount of water claimed on No. 2 of the application is listed as 45.1 acre-feet. Mr. Kirschman's letter states the amount of water claimed as 45.1 acre-feet also. On the Form 2A, on Item G, the storage is listed as 37.0 acre-feet. I presume that the 37.0 acre-feet should be 45.1 acre-feet. Is this correct?

Upon receipt of the above, further processing of your application will continue. If you have any questions, please contact this office.

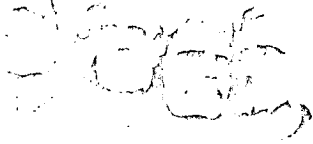
Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosures

South Dakota



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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 27, 1992

Gary T. Kirschman, SCT
Soil Conservation Service
Flandreau, SD 57028

Dear Mr. Kirschman:

Enclosed, as requested we are returning your copy of the plans for the James Loiseau Dam in Moody County.

We have reviewed the plans and specifications for the James Loiseau Dam. The plans and specifications as submitted are acceptable; however, they will not be officially approved until Water Permit Application No. 5694-3 is approved.

The review was to determine compliance with the Water Management Board Safety of Dams Rules, Chapter 74:02:08. Approval of these plans and specifications does not release Mr. Loiseau, as owner of the dam, from the responsibility for operating and maintaining the dam in good repair to assure the safety of the dam.

The Loiseau Dam will be classified as a small size Category 3 dam with a dam height of 17 feet and a normal storage capacity of 37 acre-feet and a maximum storage capacity of 69 acre-feet.

If you have any questions, please feel free to contact me.

Sincerely,

Gale N. Selken, P.E.
Natural Resources Engineer IV
for John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

enclosures

cc: James Loiseau

Conversation or File Documentation

NAME OF PERSON OR FILE: James R/Mary Dell LoiseauADDRESS: _____ COUNTY MoodyDATE: August 27, 1992 TELEPHONE _____RE: Corrections on P&S

COMMENTS:

I talked to Gary Kirschman, from the Flandreau SCS Office, (997-2371) today about Application No. 5694-3 and the Plans & Specs for the dam. He said the Loiseau Dam was completed on November 5, 1990.

I told him we needed to correct some of the numbers on the application to reflect the information on the P&S. I told him I thought there was some confusion on the terminology since the P&S were completed in December 1986 and our Safety of Dams Rules were completed in October 1986. Told him we needed to change the Surface Area and Storage to reflect a reservoir elevation at the primary spillway, also dam height to Top of Dam, and the primary spillway capacity. He said we would not have to talk to the Loiseau's about these changes and just go ahead and make them.

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: Tami Khaal

REPORT ON
WATER PERMIT APPLICATION NO. 5694-3
JAMES R. & MARY DELL LOISEAU
AUGUST 28, 1992

Water Permit Application No. 5694-3 has been filed by James R. and Mary Dell Loiseau to store 37 acre-feet of water in an existing dam. The dam is located in the SW 1/4 NE 1/4 of Section 20-T107N-R48W in Moody County. The water is used for livestock watering and recreational purposes.

Discussion:

The Loiseau Dam is located on an unnamed tributary to the Big Sioux River, approximately 1000 feet upstream of its confluence with the Big Sioux River. The dam was designed by the Soil Conservation Service and completed in November of 1990. It is approximately 17 feet high, with a normal storage capacity of 37 acre-feet and a maximum storage capacity of 69 acre-feet. It has a total drainage area of 634 acres or approximately 1 square mile.

The Loiseau Dam will be classified as a small size dam with a low hazard (Category 3) classification. A dam of this size and classification is required to have a minimum spillway design capable of passing a 25 year frequency event, which in this case is approximately 460 cfs. The Loiseau Dam has an 18 inch CMP primary spillway and an 84 foot wide earthcut secondary spillway capable of passing the 25 year event.

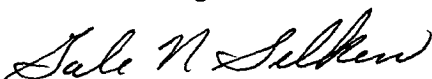
Conclusions:

1. The Plans and Specifications for the Loiseau Dam have been reviewed and accepted, and will be approved based on approval of Water Permit Application 5694-3.
2. Water Permit Application No. 5694-3 should be approved. The dam has been in existence for nearly two years and should not interfere with downstream domestic use or prior Water Rights on the Big Sioux River. This is attributable to the dam's small drainage area and storage capacity compared to that of the Big Sioux River.



Timothy G. Schaal, P.E.
Natural Resources Engineer III

Reviewed by:



Gale N. Selken, P.E.
Natural Resources IV

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5694-3, James and Mary Dell Loiseau

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5694-3, James R. and Mary Dell Loiseau, 1002 West Elm Ave., Flandreau, SD 57028-1403.

The Chief Engineer is recommending APPROVAL of Application No. 5694-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualification:

Approval of Water Permit No. 5694-3 authorizes storage of up to 37 acre-feet of water annually.

See report on application for additional information.



for JOHN HATCH, Chief Engineer
August 28, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

September 2, 1992

James R. and Mary Dell Loiseau
1002 West Elm Avenue
Flandreau, SD 57028-1403

Dear Mr. & Mrs. Loiseau:

Water Permit Application No. 5694-3 for recreational use 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 Moody Co. Enterprise printed at Flandreau, SD (Ph # 997-3725). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are 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 Hearing 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 2, 1992

Moody Co. Enterprise
Box 71
Flandreau, SD 57028

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5694-3 to be published twice. Please publish the first notice on September 9, 1992, 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 James R./Mary Dell Loiseau, 1002 West Elm Ave., Flandreau, SD 57028-1403 (Ph # 997-3938).

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. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
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 September 9, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5694-3 to Appropriate Water

Notice is given that James R/Mary Dell Loiseau, 1002 West Elm Ave, Flandreau, SD 57028-1403 has filed an application for a water permit to impound 37 acre-feet of runoff and spring water in an existing dam. The dam site is located in the SW 1/4 NE 1/4 Section 20-T107N-R48W. The water is used for livestock watering and recreational purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5694-3 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by September 28, 1992. 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 the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5694-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for October 6, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the October 6, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The October 6, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by September 28, 1992.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact Eric Gronlund by September 28, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Moody) ss.

I, Angela Nibbelink

certify that the attached printed Notice was taken
from the Moody County Enterprise

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 Flandreau of Flandreau

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

September 8, 1992

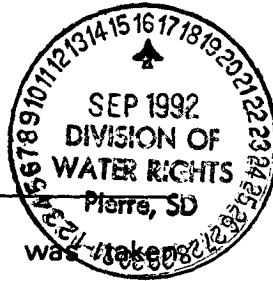
September 15, 1992

Angela Nibbelink
(Signature)

Bookkeeper
(Title)

9-15-92
(Date Signed)

Cost of Printing: 59.85



NOTICE OF HEARING
on Application No. 5694-3
to Appropriate Water

Notice is given that James R/Mary
Dell Loiseau, 1002 West Elm Ave.,
Flandreau, SD 57028-1403 has filed an
application for a water permit to impound
37 acre-feet of runoff and spring water in
an existing dam. The dam site is located
in the SW 1/4 NE 1/4 Section 20-T107N-
R46W. The water is used for livestock
watering and recreational purposes.

Pursuant to SDCL 46-2A-2, the Chief
Engineer recommends APPROVAL of
Application No. 5694-3 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.
Unless a petition is filed opposing the
application or the applicant files a
petition contesting the chief engineer's
recommendation, the Water
Management Board will NOT CONDUCT a
HEARING to considering this application
and the chief engineer will issue the
permit as recommended. Petitions filed
in support of the application will NOT
require the Board to hear the application.

Any person interested in opposing or
supporting this application must file a
written petition with BOTH the applicant
and Chief Engineer. The applicant must
also file a petition if opposed to the Chief
Engineer's recommendation. The Chief
Engineer's address is "Water Rights
Division, Foss Building, 523 E Capitol,
Pierre SD 57501 (605 773-3352)" and the
applicant's mailing address is given
above. A petition filed by either an
interested person or the applicant must
be filed by September 28, 1992. 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 the petitioner's legal
counsel, if legal counsel is obtained.

For purposes of publishing 1) the
notice of hearing on Application No.
5694-3 and 2) the chief engineer's
recommendation, a meeting at the
Division of Water Rights office to hear
this application is scheduled for October
6, 1992, at 9:00 a.m. in Room 413, Joe
Foss Building, 523 E Capitol, Pierre, SD.
If this application is opposed or the
recommendation is contested, the
October 6, 1992, hearing date will be
rescheduled for a regularly scheduled
Board meeting. Notice of the time and
place of the rescheduled hearing before
the Board will be given by First Class
Mail to the applicant and persons filing
petitions. Anyone not filing a petition, but
interested in attending the hearing, may
contact the Division of Water Rights to
confirm a hearing date and location. The
October 6, 1992, hearing date will be
automatically delayed for at least 30
days upon written request to the Chief
Engineer from the applicant or any
interested person opposing the
application. The request for an
automatic delay must be filed by
September 28, 1992.

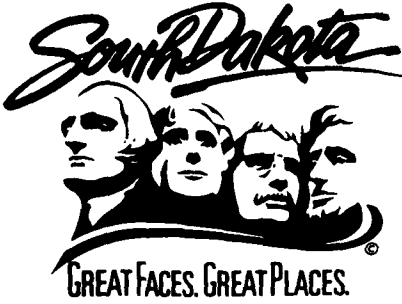
If a hearing is held, the Chief
Engineer's recommendation is not final
binding upon the Board. The Board is

(over)

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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact Eric Gronlund by September 28, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Robert E. Roberts, Secretary,
Department of Environment and Natural



DEC 24 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

James R. and Mary Dell Loiseau
1002 West Elm Avenue
Flandreau, SD 57028-1403

Dear Mr. & Mrs. Loiseau:

Enclosed is Water Permit No. 5694-3 authorizing construction of your water diversion system and beneficial use of the water, 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,

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

enclosures

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5694-3

DATE OF INVESTIGATION:	June 10, 1996
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	James Loiseau
NAME & ADDRESS OF PERMIT HOLDER	James Loiseau 1002 W Elm Avenue Flandreau SD 57028-1403
DIVERSION POINT LEGAL LOCATION	dam: 2,475 feet S and 1,700 feet W from NE corner of section 20-T107N- R48W (SW$\frac{1}{4}$NE$\frac{1}{4}$)

Other permit(s) associated with the project: **none**

DAM INFORMATION:

- | | |
|---|---|
| 1) Height to crest <u>19</u> feet | 5) Crest length <u>350</u> feet |
| 2) Height to primary spillway <u>14</u> feet | 6) Spillway length <u>100</u> feet |
| 3) Height to secondary spillway <u>16</u> ft | 7) Spillway width <u>75</u> feet |
| 4) Crest width <u>12</u> feet | 8) Approx. storage <u>37</u> ac-ft |

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by **Y**
- 2) All structures, wells and lands on map **Y**

Permit No. 5694-3
Big Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **June 10, 1996**, made a thorough examination of the water use system constructed by **James R and Mary Dell Loiseau** of **1002 W Elm Avenue, Flandreau SD 57028-1403** holder of Permit No. **5694-3**, bearing the priority of **July 23, 1992** authorizing the storage of **37** acre-feet of the waters of **dry draw runoff/springs** for **livestock watering and recreational** purposes, in **Moody** County.

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

A. Works used to divert the water:

Dam Information:

- | | |
|---|---|
| 1) Height to crest <u>19</u> feet | 5) Crest length <u>350</u> feet |
| 2) Height to primary spillway <u>14</u> feet | 6) Spillway length <u>100</u> feet |
| 3) Height to secondary spillway <u>16</u> ft | 7) Spillway width <u>75</u> feet |
| 4) Crest width <u>12</u> feet | 8) Approx. storage <u>37</u> ac-ft |

The system is in the following condition **good**. The point of diversion is located **2,475 feet S and 1,700 feet W from NE corner of section 20-T107N-R48W (SW $\frac{1}{4}$ NE $\frac{1}{4}$)**. The works are capable of storing **37** acre-feet of water which is to be used for **livestock watering and recreational**. Water has been put to beneficial use and the license should be issued for **37** acre-feet of storage.

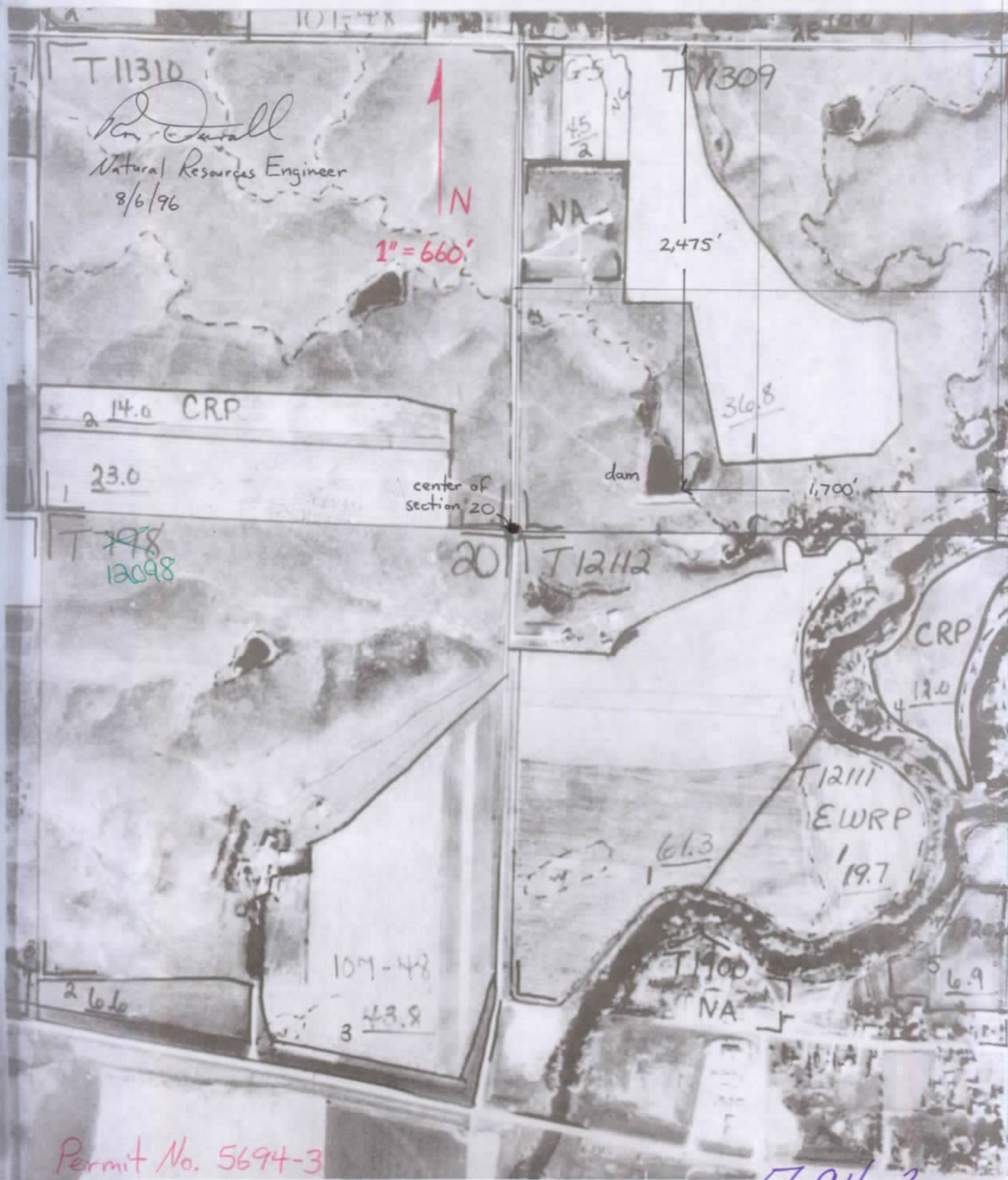
Applicable permit qualifications have been complied with: Yes **X** No

Exceptions to compliance are: **none** Date report completed: **August 6, 1996**



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP.



Permit No. 5694-3

5694-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5694-3

(1) James R. and Mary Dell Loiseau, 1002 W Elm Ave., Flandreau, SD 57028-1403 made Application No. 5694-3, July 23, 1992, for a water permit to store 37 acre feet of water annually from runoff and spring water in an existing dam, Moody County, South Dakota for livestock watering and recreational purposes. Permit No. 5694-3, with a priority date of July 23, 1992 was approved October 6, 1992 and issued to the applicants for diversion of water with construction of the described water supply system and the application to beneficial use of said water completed.

(2) It is certified that the applicants have 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 37 acre feet of water annually for beneficial use. The location of the storage dam is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20, T107N, R48W (spillway located 2,475'S and 1,700'W of the NE corner of Section 20).

(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 South Dakota Water Law 46-5-30.1 James R and Mary Dell Loiseau, 1002 W Elm Ave., Flandreau, SD 57028-1403 the holders and/or owners of Water Permit No. 5694-3 are issued a license to appropriate water, the right to store 37 acre feet of water annually from runoff and springs with a priority date of July 23, 1992 from the location specified in (2) of this license, for livestock watering and recreational purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 5694-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 17 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 8, 1996

5694-3

James R. and Mary Dell Loiseau
1002 W. Elm Ave.
Flandreau, SD 57028-1403

Dear Mr. and Ms. Loiseau:

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. 5694-3, 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.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

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

RECEIPT

415079

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ September 6, 19 96

RECEIVED OF James R. or Mary Dell Loiseau, RR 1, Box 156, Flandreau, SD 57028

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct 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>5694-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer